



Correction has been carried out in view of speaking to minutes order dated 09.05.2025.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
920 CIVIL APPLICATION NO. 5312 OF 2025
IN FA/1585/2016
SAMBHAJI IRAPPA REDDY
VERSUS
THE STATE OF MAHARASHTRA
THROUGH COLLECTOR OSMANABAD AND ANR**

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Advocate for the Applicant : Ms.Pooja Kishor Apache
h/f. Mr.Patne Santosh N.
AGP for Respondent/State : Mr.K.K.Naik

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 6th MAY 2025**

PER COURT :

1. This application is for permission to withdraw remaining amount with accrued interest. Respondent/Acquiring body had deposited amount of compensation while securing stay to the execution of the award under challenge. By order dated 02.04.2018 passed in Civil Application No.2775 of 2018 in FA No.1585 of 2016, this Court had permitted the applicants to withdraw 50% of the amount alongwith accrued interest on furnishing undertaking. Applicant received 50% of the amount as permitted by this Court.

2. Applicant prays for permission to withdraw the amount because of the circumstances stated in paragraph no.4 of the application. Application is opposed by the respondents. Already

sufficient amount was disbursed and it is contended that it is very difficult to recover the amount.

3. Considering overall circumstances, I deem it appropriate to permit the applicant to receive further 40% of the amount on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.

4. Civil Application is partly allowed in terms of prayer clause 'B'. Applicant is permitted to withdraw further 40% of the amount with accrued interest by furnishing solvent surety or security.

[SHAILESH P BRAHME, J.]

vsj..