



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 CIVIL APPLICATION NO. 6063 OF 2025
IN FA/1163/2021

JOTIBA ABAJI GODASE (DIED), THROUGH ITS LRS.
BAPU JOTIBA GODASE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Laxmikant C. Patil
AGP for Respondent Nos.1 and 2 - State : Mrs. D. S. Jape
Advocate for Respondent No.3 : Mr. Mukul S. Kulkarni

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 17 JUNE 2025

PER COURT :

1. This is an application filed by the Original Claimant/
Respondent No.1 in Appeal for withdrawal of the amount deposited
by the Acquiring Body under the Award. The Appeal is filed by the
Acquiring Body in respect of lands acquired for Storage Tank
Dhotri in File No.1999/LNQ/CR-36.

2. It is submitted by the learned Advocate for the
Applicant that, this Court, in connected matters i.e. First Appeal
Nos.789/2023 and 790/2023, allowed the Claimants therein to
withdraw the amount by order dated 09/07/2024. He tenders
across the bar a copy of the said order.

3. The learned AGP and the learned Advocate for the Acquiring Body though oppose the Application, does not dispute the said order, by which, similarly situated Claimants are permitted to withdraw the amount.

4. In view of the above and on going through the said order dated 09/07/2024 passed in the connected matters, the Application is allowed in terms of the said order.

5. The Applicant is allowed to withdraw 75% of the amount with accrued interest deposited in this Court on furnishing usual undertaking and remaining 25% amount be invested in fixed deposits any Nationalized Bank to be renewed from time to time till disposal of the Appeal.

6. Application is disposed off accordingly.

(ABHAY S. WAGHWASE, J.)