



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 173/2025 IN
CROSS OBJECTION (ST) NO. 21990/2023 IN
FIRST APPEAL NO. 331/2022

(Nathmal s/o Ramjivan Bhattad (dead) thr. LRs. Vs. The State of Maharashtra & ors.)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. G.R. Kothari, Advocate for applicants.
 Mrs. M. Deshmukh, APP for non-applicants No.1 & 3.
 Mr. S.A. Chaudhari, Advocate for non-applicant No.2.

CORAM: NITIN B. SURYAWANSHI AND
PRAVIN S. PATIL, JJ.

DATED : 20/02/2025

Heard.

2. This is an application for withdrawal of amount deposited by non-applicant/acquiring body/cross-objector, in view of the fact that in cross-objection, delay condonation application filed by acquiring body is dismissed by this Court on 29.01.2025, so also, cross-objection.

3. Learned counsel for acquiring body strenuously opposed this application stating that before the Apex Court challenge is raised to the judgment passed by this Court at Principal Seat, relying on which, his cross-objection is dismissed.

4. Learned counsel for acquiring body states that no appeal challenging the order passed in the present matter has been filed by the acquiring body.

5. In this view of the matter, we allow this application by permitting the applicant 1(b) (for self and Power of Attorney holder for applicant Nos. 1(a) and 1(c)) to withdraw balance 50% amount along with accrued interest thereon out of that 25% amount on furnishing undertaking and 25% amount on furnishing surety.

6. Application stands disposed of in above terms.

(PRAVIN S. PATIL, J.)

(NITIN B. SURYAWANSHI, J.)

Gohane