

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 10656 OF 2015
IN FA/1594/2014**

**DIGAMBAR GOPALJI RAVAL
VERSUS
THE MUNICIPAL CORPORATION, AURANGABAD, THROUGH
THE COMMISSIONER AND ANOTHER**

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Mr. A. S. Usmanpurkar, Advocate for the applicant
Mrs M. A. Deshpande, Advocate for respondent/State

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**CORAM : S. V. GANGAPURWALA, J.
DATE : 11TH SEPTEMBER, 2015.**

PER COURT:

. This is an application for withdrawal of the amount.

2. Mrs Deshpande, learned Counsel for respondent, opposes the application on the ground that the reference Court has granted exorbitant amount of compensation. Shee submits that, the reference Court has granted the said amount without taking into consideration the comparable sale instance. The SLAO had considered all the aspects of the matter while granting the compensation amount.

3. Today, the award is in favour of the applicant. Considering the enhancement granted, I pass the following order.

ORDER

- (i) The applicant is allowed to withdraw 50% of the amount deposited on submitting an undertaking to this Court that in

the event this Court directs him to deposit the amount, he will redeposit the amount within a period of one month from the date of such order.

- (ii) The applicant is further allowed to withdraw 25% of the amount deposited on furnishing solvent security / surety of the like amount.
- (iii) The remaining 25% amount be kept in Fixed Deposit in any of the Nationalized Bank.

Civil Application disposed of.

[S. V. GANGAPURWALA, J.]

sgp