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

**CIVIL APPLICATION NO. 4699 OF 2018  
IN  
FIRST APPEAL NO. 670 OF 2018**

Shirish Gopinath Deshpande ...Applicant

Versus

Godawari Marathwada Irrigation Development  
Corporation, Osmanabad and Ors. ...Respondents

**CIVIL APPLICATION NO. 4700 OF 2018  
IN  
FIRST APPEAL NO. 671 OF 2018**

Shirish Gopinath Deshpande and Anr. ...Applicants

Versus

Godawari Marathwada Irrigation Development  
Corporation, Osmanabad and Ors. ...Respondents

.....

Mr. R.R.Mantri, Advocate for Applicant.  
Mr.S.G.Bhalerao, Advocate for Respondent No.1  
Mr. P.G. Borade , A.G.P. for Respondent Nos. 2 and 3

**CORAM : S.V.GANGAPURWALA AND  
A.M.DHAVALA, JJ.**

**DATE: APRIL 06, 2018**

**PER COURT :**

1. These are applications for withdrawal of the amount.

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2. Heard Mr. R.R. Mantri, learned counsel for the applicant and Mr. Bhalerao, learned counsel for the non-applicant.

3. Considering the exorbitant enhancement granted by the reference court, this court directed non-applicants to deposit 50% of the enhanced amount of compensation. The deduction of the area towards development while granting compensation as per square feet and other aspects will have to be considered at the time of final argument. Considering the enhancement of amount granted by reference court, we pass the following order :

(I) Out of the total amount deposited in this Court by the non-applicant, the applicant is allowed to withdraw 25 % of the amount on giving undertaking to this Court that in the event the applicant is directed to deposit the amount the applicant would deposit the amount in one month.

(II) The applicant is further allowed to withdraw 25 % of the amount deposited on furnishing solvent surety of the like amount.

(III) The applicant is further allowed to withdraw 25% of the

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amount deposited on furnishing the bank guarantee of nationalized or scheduled bank.

(IV) The remaining 25% of the amount be kept in Fixed Deposit in any Nationalized Bank.

4. The Civil Applications are disposed of.

**(A.M. DHAVAL, J.)**

**(S.V. GANGAPURWALA, J.)**

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