

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.8460 OF 2019

IN

FIRST APPEAL NO.4380 OF 2016

**(Gautam Madhukar Girme Vs. Dy. Chief Engineer (Construction), Central
Railway Division, Pune and others)**

Mr. S.V. Natu, Advocate for the applicant

Mr. M.N. Navandar, Advocate for respondent No.1

CORAM : MANGESH S. PATIL, J.

DATE : 03.12.2019

PER COURT :

Heard.

2. The original claimant, who has been allowed to withdraw the entire amount of compensation deposited by the Acquiring Body, has filed this application for withdrawal of the amount of interest which has also been deposited but has not been withdrawn.

3. The learned Advocate for the applicant/claimant submits that the applicant was initially allowed to withdraw 50% of the amount of compensation. However, when he approached the Supreme Court, it has allowed him to withdraw the entire amount of compensation. However, since there was no specific mention about his right to withdraw even the amount of interest which is lying with the Court and may be allowed to be withdrawn.

4. The learned Advocate for the Acquiring Body admits the factual position and fairly concedes that like other matters, even the applicant/claimant can be allowed to withdraw the amount of interest lying with the Court.

5. In view of the above, the application is allowed. The applicant is allowed to withdraw the amount of interest as mentioned in prayer clause (A) by furnishing security to the satisfaction of the Registrar (Judicial).

[MANGESH S. PATIL]
JUDGE

npj/ca8460-2019