

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.13609 OF 2019
IN
REJECTED CASE NO.703 OF 2017
(Kisan Bhanudas Nikam Vs. The State of Maharashtra and
another)

Mr. Laxmikant C. Patil, Advocate for the applicant
Mr. S.P. Deshmukh, A.G.P. for the respondent/State
Mr. Patil, Advocate holding for Mr. Atul R. Kale,
Advocate for respondent No.2

CORAM : MANGESH S. PATIL, J.

DATE : 27th NOVEMBER, 2019

PER COURT :

Heard both sides.

2. The applicant is seeking withdrawal of the amount of compensation deposited by the Acquiring Body in this Court pursuant to the impugned judgment and order passed by the Reference Court.

3. Learned Advocate Mr. Patil, holding for Mr. Atul R. Kale, Advocate for the Acquiring Body opposes this application for withdrawal of the amount.

4. After going through the entire judgment, in my considered view, the applicant deserves to be paid

75% of the amount of compensation deposited in this Court on usual terms and conditions.

5. The Civil Application is allowed. The applicant is allowed to withdraw 75% of the amount deposited in this Court, 50% of the amount shall be paid to the applicant by furnishing usual undertaking and 25% amount by furnishing solvent security.

[MANGESH S. PATIL]
JUDGE

npj/ca13609-2019