

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

110 CIVIL APPLICATION NO.10376 OF 2019
IN FA/3090/2019 WITH CA/10377/2019 IN FA/3097/2019
WITH CA/10378/2019 IN FA/3099/2019 WITH CA/10379/2019 IN
FA/3095/2019 WITH CA/10380/2019 IN FA/3091/2019 WITH
CA/10381/2019 IN FA/3094/2019

KUBER TULSIDAS NIKRAD AND ORS
VERSUS
EXECUTIVE ENGINEER, CENTRAL RAILWAY, PUNE AND ORS

...
Advocate for Applicants : Mr. Shaikh Shoyab
AGP for Respondent-State : Mr. A. M. Phule
Advocate for Respondents : Mr. M. N. Navandar
...

CORAM : MANGESH S. PATIL, J.

DATE : 08.11.2019

PER COURT :-

The applicants who are the original claimants, are seeking withdrawal of the amount deposited by the Acquiring Body in these first appeals pursuant to the impugned judgment and award.

2. Learned advocate for the appellants/respondents submits that at the most 50% of the amount may be allowed to be withdrawn since there is a serious dispute about the rate of interest awarded by the Reference Court under Section 28 of the Land Acquisition Act.

3. Considering the submissions and the impugned judgment, the applicants are allowed to withdraw 50% of the amount of compensation deposited by the Acquiring Body in this Court, subject to furnishing an undertaking to re-deposit the same whenever the Court directs.

4. Civil applications are accordingly disposed of.

(MANGESH S. PATIL, J.)

vsm/-