

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

**CIVIL APPLICATION NO.11713 OF 2019
IN FAST/31566/2018**

**BABAN BABURAO THOMBRE (DIED) THR LRS INDUBAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

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Mr. S.S. Patunkar, Advocate for applicants.
Mr. R.B. Bagul, AGP for respondent No.1-State.
Mr. A.M. Gaikwad, Advocate for respondent Nos.2 and 3.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 27th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.7,52,378/- has has been deposited in this matter.

2. Learned Advocate appearing for the acquiring body raises strong objection on the ground that the amount has been increased manifold without any reason by the reference Court and therefore, the acquiring body has challenged the quantum.

3. At this stage, a fact is certain that the land of the applicants has been acquired and therefore, they should get compensation.

4. Taking into consideration the objection raised, definitely, case is made out for partial withdrawal of the amount.
5. Applicants are allowed to withdraw 50% of the amount deposited in this Court subject to filing an undertaking within a period of eight weeks that they would make the said amount good, if directed at the time of final disposal of the appeal.
6. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM