

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION ST. NO. 11159 OF 2020 IN
FIRST APPEAL ST. NO. 17701 OF 2019

Satyabhamabai w/o Vishnu Dhanwate Applicant

Versus

The Executive Engineer & another Respondents

Mr. Zia Ul Mustafa Mujtaba Gulam Mustafa, Advocate for the petitioner.

Mr. R.C. Patil, Advocate for respondent No. 1.

CORAM : M.G. Sewlikar, J.

DATE : 3rd July, 2020.

PER COURT :

1. Heard Mr. Zia Ul Mustafa Mujtaba Gulam Mustafa, learned counsel for the claimant and Mr. R.C.Patil, learned counsel for the acquiring body. This application is filed for the withdrawal of the amount deposited by the acquiring body. Learned counsel Mr. Patil objects for withdrawal of the entire amount on the ground that the learned reference Court has awarded highly excessive amount. Learned counsel for the claimant states that the calculations are in accordance with the evidence placed on record. Learned counsel Mr.Patil submits that 25% amount be allowed to be withdrawn.

2. Learned counsel for the applicant states at least 50% amount should be permitted to be withdrawn.

3. Having regard to the rival contentions, I am of the view that applicant be allowed to withdraw 30% of the amount deposited. Application is disposed of accordingly.

(M. G. SEWLIKAR)
Judge

dyb