

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

**999 CIVIL APPLICATION NO.882 OF 2021
IN CA/12941/2019 IN FA/3434/2019**

**VINOD SHANKAR CHATE
VERSUS
THE G.M.I.D.C., THR THE EX. ENGINEER, MINOR IRRIGATION
DIV. LATUR AND ORS**

Mr. V. G. Kodale, Advocate h/f Mr. S. S. Bora, Advocate for the
applicant

Mr.A. M. Gaikwad, Advocate for respondent No.1

CORAM : N. J. JAMADAR, J.

DATE : 12-03-2021

P. C.

. This is an application for withdrawal of amount of compensation deposited by appellant-respondent No.1 in terms of the judgment and award dated 28-02-2018 in LAR No.330/2004.

2. The learned counsel for the parties make a joint statement that in the matters arising out of the same project, by an order dated 21-06-2021 in civil application No. 6298/2020 and connected matters this court has permitted the applicants therein to withdraw 40% of the amount of compensation deposited by the appellant-acquiring body.

3. In view of the aforesaid statement and for the reasons

recorded in the order dated 21-01-2021 in the civil application No. 6298/2020 and connected matters, the application deserves to be allowed on similar terms. Hence, the following order.

ORDER

- i. The application stands partly allowed.
- ii. The applicant is permitted to withdraw 40% of the amount of compensation deposited by the appellant-acquiring body alongwith interest accrued thereon, on furnishing an undertaking to the satisfaction of the learned Registrar (Judicial) to bring back the amount in the event it is held that the applicant is not entitled to the compensation.
- iii. Rest of the amount be invested in a fixed deposit.
- iv. The application stands disposed of.

[N. J. JAMADAR, J.]