

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

CIVIL APPLICATION NO.4163 OF 2021
IN FA/279/2014

SHOBHABAI BALIRAM KAMBALE
VERSUS
MAHARASHTRA STATE INDUSTRIAL DEVELOPMENT CORPORATION
LATUR AND ANOTHER

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Advocate for the Applicant : Shri Kulkarni Girish N. (Mardikar)
None for respondent No.1.

AGP for Respondent 2/ State : Shri S.R. Yadav Lonikar

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**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 08th July, 2021

Per Court :-

1. None present for respondent No.1.
2. By this Civil Application, the applicant prays for leave to withdraw the interest amount which has accrued on the enhanced compensation amount deposited in this Court.
3. It is pointed out that this Court had passed an order on 01.08.2014 in Civil Application No.7325/2014 vide which she was permitted to withdraw 25% of the total amount on furnishing a personal undertaking. She was also allowed to withdraw 25% by furnishing a solvent surety. She was also permitted to withdraw another 25% by

submitting a bank guarantee and remaining 25% was to be invested in a fixed deposit receipt in the nationalized bank.

4. The applicant approached the Honourable Apex Court along with other similarly situated applicants and by order dated 28.08.2015, the Honourable Apex Court (a three Judges Bench) permitted the applicant to withdraw 50% of the enhanced compensation amount without security and the balance 50% to be withdrawn on furnishing security to the satisfaction of the Collector.

5. The issue before us is the interest amount that has accrued on the entire amount that was permitted to be withdrawn by the Honourable Apex Court vide the above referred order. We, therefore, have no reason to place any different condition on the applicant.

6. This Civil Application is, therefore, allowed. 50% of the interest amount shall be withdrawn by the applicant without security and the balance 50% shall be withdrawn on furnishing security to the satisfaction of the Collector.