

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

CIVIL APPLICATION NO.1376 OF 2020 IN FAST/24662/2018

**MACHINDRA BAPURAO ROKADE (DIED) THROUGH LRS.
ARCHANA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
LATUR AND ANOTHER**

WITH

CIVIL APPLICATION NO.1372 OF 2020 IN FAST/24676/2018

**GOVIND MARUTI AIALWAD (DIED) THROUGH LRS.
PANDURANG AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
LATUR AND ANOTHER**

WITH

CIVIL APPLICATION NO.1377 OF 2020 IN FAST/24688/2018

**HARIBA VITHAL BANDEWAD (DIED) THROUGH LRS.
RANGUBAI HARIBA BANDEWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
LATUR AND ANOTHER**

WITH

CIVIL APPLICATION NO.1373 OF 2020 IN FAST/24666/2018

**CHAKRADHAR NAGORAO MAKEWAD (DIED) THROUGH LRS.
SUREKHA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
LATUR AND ANOTHER**

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Mr. B.K. Pawar, Advocate for the Applicants in all CAs.
Mr. B.V. Virdhe, AGP for Respondent No.1 / State in all CAs.
Mr. G.N. Patil, Advocate for Respondent No.2 in all CAs.

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 14th DECEMBER, 2021

PER COURT:-

1. These are the civil applications for withdrawal of amount moved by the respective claimants.
2. Heard. Mr. B.K. Pawar, learned counsel for the applicants, Mr. G.N. Patil, learned counsel for respondent no.2 / acquiring body and Mr. Virdhe, learned AGP for respondent No.1 / State.
3. Mr. B.K. Pawar, learned counsel for the applicants seeks leave to place on record the copy of order passed by this Court in civil application no.1367/2020 in first appeal no.3928/2019 arising out of same award, wherein this Court (Coram : Smt. Vibha Kankanwadi, J.) was pleased to permit the original claimant to withdraw the amount of compensation to the extent of 75%.
4. There is no reason to take any different view. It would be just and proper to allow the respective claimants to withdraw the amount of compensation to the extent of 75% with accrued interest thereon by following the same view.

ORDER

- (i) The civil applications for withdrawal of the amount are hereby allowed in terms of prayer clause (B).
- (ii) The applicants / claimants are allowed to withdraw 75% of the deposited amount with accrued interest thereon on furnishing usual undertaking with the Registry of this Court and to the satisfaction of the Registrar (Judicial) of this Court.
- (iii) Remaining 25% of the amount of compensation with accrued interest thereon shall be invested in fixed deposit in any nationalized Bank with clause of renewal.
- (iii) Civil applications are accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane