

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

913 CIVIL APPLICATION NO.1662 OF 2020
IN FAST/2388/2019

SHAHU MOHANRAO PATIL (DIED) THR PRATAP DILIPRAO PATIL .
VERSUS
EX. ENGINEER, SINA KOLEGAON PROJECT DIV. PARANDA
THR M.K.V.D.C.,PUNE AND ORS

...
Advocate for Applicant : Mr.Shrikishan S.Shinde,
Mr.GB Rajale, Adv. For Resp.No.1.
Mr. AM Phule, AGP for Respondents: 2 & 3;

CORAM : SMT.VIBHA KANKANWADI,J.
DATE : 17th June, 2021.

PER COURT :-

1. Present application has been filed for withdrawal of the amount deposited by the acquiring body.
2. Heard both sides.
3. The learned AGP has strong objection for withdrawal of the amount. The appeal challenges enhancement of compensation that has been granted, by the Reference Court. Since the competent Court has arrived at a particular conclusion, at this stage, a case is made out for partial withdrawal of the amount.
4. The amount that has been deposited in this case is Rs.48,52,153/- and, therefore, the

(2)

applicant is allowed to withdraw an amount of Rs.
35,00,000/-.

5. The applicant shall file an undertaking within a period of eight weeks that he would make the said amount good, if directed at the time of final disposal of the appeal.

6. The Civil Application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV