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

913 CIVIL APPLICATION NO.1661 OF 2020  
IN FAST/2299/2019

JAIWANT SHANKARRAO 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;

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**CORAM : SMT.VIBHA KANKANWADI,J.**  
**DATE : 17<sup>th</sup> June, 2021.**

**PER COURT :-**

1. Leave to correct middle name of the applicant, as "Shahajirao" instead of "Shankarrao" is granted to the applicant as well as appellant-acquiring body. The corrections be effected immediately.
2. Present application has been filed for withdrawal of the amount deposited by the acquiring body.
3. Heard both sides.
4. 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

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stage, a case is made out for partial withdrawal of the amount.

5. The amount that has been deposited in this case is Rs.35,39,275/- and, therefore, the applicant is allowed to withdraw an amount of Rs. 24,00,000/-.

6. 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.

7. The Civil Application stands disposed of.

**(SMT. VIBHA KANKANWADI)**  
**JUDGE**

BDV