

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**19 CIVIL APPLICATION NO.5515 OF 2021
IN FA/3687/2019**

UTTAM RAMBHAU BORADE
VERSUS
THE GMIDC LTD., AURANGABAD THE EX. ENGINEER, N.D.P.J.AND ORS

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. S. S. Dande
Advocate for Respondent No.1 : Mr. V. C. Solshe
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 21-06-2021

PER COURT :

1. Heard both sides.
2. It has been informed by the learned Advocate Mr. Solshe appearing for the acquiring body that 50 % of the award has already been deposited with the Reference Court and it has been allowed to be withdrawn by the applicant. Now in this Court remaining 50 % amount has been deposited. Amount that is deposited is Rs.46,95,963/-. He submits that the enhancement is more than four times and, therefore, he has every objection to allow the applicant to withdraw the amount.
3. Taking into consideration the fact that the land of the applicant

has been acquired long back and he is fighting for the compensation, further partial withdrawal from the amount that has been deposited in this Court would be permissible and, therefore, present applicant is allowed to withdraw the amount of Rs.15,00,000/- subject to giving 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.

4. In view of above, application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.