

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

**CIVIL APPLICATION NO.4035 OF 2021 IN
FIRST APPEAL NO.634 OF 2021**

Shivraj s/o Shankarrao Patil

... APPLICANT

VERSUS

The State of Maharashtra & ors.

... RESPONDENTS

.....

Mr. V.D. Sapkal, Senior Counsel with

Mr. N.R. Pawade, Advocate for applicant

Mr. P.M. Kulkarni, A.G.P. for respondents No.1 and 2

Mr. Shamsunder B. Patil, Advocate for respondent No.3.

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CORAM : R. G. AVACHAT, J.

DATE : 27th JULY, 2021

PER COURT :

Heard. Learned counsel for the acquiring body strongly objects for permitting withdrawal of more than 50% of the amount under the award. According to him, he has a very good case in the appeal.

2. Since the Reference Court has enhanced the compensation not more than four times of the amount granted by the Special Land Acquisition Officer, the applicant is permitted to withdraw 90% of the amount under the award along with interest accrued thereon. 75% of the amount be paid on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court and 15% of the amount be paid on furnishing solvent security/ surety. Civil Application is disposed of.

**(R. G. AVACHAT)
JUDGE**

fmp/-