

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

**CIVIL APPLICATION NO. 3773 OF 2021
IN
FIRST APPEAL NO. 1884 OF 2020**

Angad Wamanrao Nalawade and others ... Applicants

Versus

The State of Maharashtra and others ... Respondents

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Mr. A. S. More, Advocate for the applicants

Mr. A. M. Phule, AGP for respondent No.1

Mr. A. M. Gaikwad, Advocate for respondent No.3

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CORAM : R. G. AVACHAT, J.

DATED : 09th JULY, 2021

PER COURT :-

. This is an application for withdrawal of the amount of compensation awarded on account of acquisition of the land of the applicants.

2. Heard. Perused the impugned award.

3. Only 60% of the amount under the award has been deposited, in spite of the order of this Court to deposit the entire amount. The acquiring body is granted two weeks' time to deposit the balance 40% amount.

4. Learned AGP Shri A. M. Phule and learned Advocate Shri A. M. Gaikwad would submit that the Reference Court has granted compensation manifold. The same could be termed to be exorbitant. The appellants have a very good case in appeal.

5. On perusal of the impugned award and the application, I am inclined to permit the applicants to withdraw the amount deposited in this Court. Hence, following order:-

ORDER

- (i) The civil application is partly allowed.
- (ii) The applicants are permitted to withdraw 60% of the amount under the award, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

[R. G. AVACHAT, J.]