

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

**CIVIL APPLICATION NO. 4746 OF 2021
IN
FIRST APPEAL (ST) NO. 22019 OF 2018**

Laxman Mahadev Birajdar

..APPLICANT

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. A.B. Kale, Advocate h/f Mr. B.K. Pawar, Advocate for applicant

Mr. K.S. Patil, A.G.P. for respondent – State

Mr. A.D. Gadekar, Advocate for respondent no.2

....

CORAM : R.G. AVACHAT, J.

DATE : 06th AUGUST, 2021

PER COURT :

1. Heard. Perused the impugned award.
2. Learned counsel for the acquiring body strongly objects to permit withdrawal of the amount.
3. The enhancement is little over four times of the amount awarded by the Special Land Acquisition Officer. In this factual backdrop of the case, the applicant is permitted to withdraw 75% of the amount deposited, 50% on submitting an undertaking to the satisfaction of the

Registrar (Judicial) of this Court and 25% on furnishing solvent surety/security/bank guaranty in the like amount. Balance 25% amount be invested in fixed deposit in any nationalised bank till disposal of the appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD