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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 CIVIL APPLICATION NO.4592 OF 2021
IN FAST/38498/2017

SADU BALIRAM LALE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicant : Mr. Kale Gopal D.
Mr.AM Phule, AGP for Respondents:

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 17th June, 2021.

PER COURT :-

1. Present application is filed for withdrawal of the amount.
2. Heard both sides.
3. Learned AGP has strong objection for withdrawal of the amount taking into consideration the fact that the Reference Court has granted more than four times the compensation that that was granted by the SLAO and also the interest has been awarded against the Full bench decision in the case of The State of Maharashtra Vs. Kailas Shiva Rangari – 2016 (4) ALL MR 513 (FB)
4. Taking into consideration the fact that the interest of the State is also required to be protected for the points raised and also the fact that the claimant should also

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get part of the compensation, at this stage, a case is made out for partial withdrawal of that amount that has been deposited. The amount that has been deposited is Rs. 65,17,641/-. The applicant is allowed to withdraw an amount of Rs.33,00,000/-.

5. 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.

6. The Civil Application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV