

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

**CIVIL APPLICATION NO.6675 OF 2020
IN FIRST APPEAL NO.1156 OF 2020**

(Balaji Namdeo Walse

Vs.

State of Maharashtra and anr.)

Mr.V.B.Patil, Advocate h/f. Mr.M.S.Patil, Advocate for applicant

Mr.K.S.Patil, AGP for respondent no.1

Mr.S.G.Karlekar, Advocate for respondent no.2

CORAM : R.G. AVACHAT, J.

DATE : AUGUST 10, 2021

ORDER :-

The applicant/claimant seeks withdrawal of amount of compensation deposited in this Court. Learned counsel for the applicant relied on a few orders passed by this Court granting withdrawal of amount ranging from 69% to little over 88% and urged this Court to grant permission for withdrawal of at least, 90% of the amount deposited.

2. Learned counsel for the acquiring body would, on the other hand, submits that the sale instances of lands of far away distances, were taken into consideration for awarding compensation and as such, the appellant – acquiring body has a good case in appeal.

3. Perused the application and the impugned award. The applicant is permitted to withdraw 75% of the amount deposited; 50% on furnishing undertaking to the satisfaction of learned Registrar (Judicial) of this Court and 25% on furnishing solvent security/surety.

4. The application stands disposed of accordingly.

[R.G. AVACHAT, J.]

KBP