

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

**CIVIL APPLICATION NO. 109 OF 2021
IN
FIRST APPEAL NO. 1049 OF 2017**

Hanumant Kishan Kendre	... Applicant
Versus	
The State of Maharashtra and others	... Respondents

**AND
CIVIL APPLICATION NO. 108 OF 2021
IN
FIRST APPEAL NO.1050 OF 2017**

Vishwambhar @ Vishwanath Madhav Kendre	... Applicant
Versus	
The State of Maharashtra and others	... Respondents

....

Mr. S. R. Kedar, Advocate for the applicants
Mr. B. V. Virdhe, AGP for respondents State

....

CORAM : R. G. AVACHAT, J.

DATED : 09th JULY, 2021

PER COURT :-

. Heard.

2. Learned AGP states that the amount of compensation has been enhanced more than four times. He, therefore, objects for grant of 75% of the withdrawal of the amount.

3. Perused the impugned award. In the fitness of things, the applicant is permitted to withdraw 65% of the deposited amount.

Hence, following order:-

ORDER

- (i) The application is partly allowed.
- (ii) The applicant is permitted to withdraw 65% of the deposited amount. Out of which, 50% amount is allowed to be withdrawn on furnishing undertaking and balance 15% amount is allowed to be withdrawn on furnishing solvent security to the satisfaction of the Registrar (Judicial) of this Court.
- (iii) Balance 35% amount be kept in any nationalised bank till disposal of the first appeal.

[R. G. AVACHAT, J.]

SMS