

**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

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

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CORAM : R. G. AVACHAT, J.

DATED : 09th JULY, 2021

PER COURT :-

1. 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 Out of which, 50% amount is allowed to be withdrawn on furnishing undertaking and balance 15% amount is allowed to be withdrawn on furnishing solvent security to the satisfaction of the Registrar (Judicial) of this Court.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.]

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