

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

910 CIVIL APPLICATION NO.1927 OF 2022

IN FA/1357/2020

WITH CA/1929/2022 IN FA/1362/2020

WITH CA/1930/2022 IN FA/1363/2020

WITH CA/1931/2022 IN FA/1364/2020

WITH CA/1932/2022 IN FA/1360/2020

WITH CA/1933/2022 IN FA/1361/2020

MAHADEV KISAN WAIKAR

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH THE COLLECTOR, OSMANABAD AND OTHERS

...

Advocate for Applicant : Mr. Laxmikant C. Patil.

AGP for Respondent/State: Mr. P. M. Kulkarni.

...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 17th February, 2022.

P.C.:

. These are the applications for withdrawal of amount moved by the applicants/original claimants.

2 Heard Mr. L. C. Patil, learned counsel for applicants/original claimants and Mr. P. M. Kulkarni, learned AGP for respondent/State.

3 It is stated across the bar that the State has deposited entire amount of compensation under the impugned judgments and awards with the Registry of this Court. The impugned judgments and awards passed by the Reference Court have been challenged before this Court by way of first appeals and those impugned judgments and

awards are under scrutiny at the hands of this Court.

4 Now the question is about payment of compensation amount. It is the practice of this Court to allow the claimants to withdraw 75% of the amount of compensation under the impugned judgment and award with accrued interest by directing to the original claimants to furnish usual undertaking with the Registry to the extent of 50% and 25% on security. I do not see any reason to take any different view while considering these applications for withdrawal of amount. By taking the same recourse, I proceed to pass the following order:

ORDER

- I. All civil applications for withdrawal of amount moved by the respective claimants in the respective appeals stand allowed as under:
 - (i) The original claimants/applicants are hereby permitted to withdraw 50% of the amount of compensation on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% on furnishing solvent security to the satisfaction of the Registrar (Judicial) by the respective claimants/ applicants.

- (ii) Remaining 25% amount of compensation shall be invested in fixed deposit account in any nationalized bank for a period of two years with clause of renewal.

II. All the civil applications are accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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