

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

925 CIVIL APPLICATION NO.2837 OF 2022
IN FA/2819/2018

BHAULAL BHAGWAN GUSINGE (DIED)
LRS TANHABAI AND ORS

VERSUS

THE EX. ENGINEER, M.I.D. JALNA AND ORS

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Advocate for Applicants : Mr V.B. Kulkarni
Advocate for Respondent No.1 : Mr R.C. Patil
AGP for Respondent Nos. 2 and 3 : Mr S.P. Deshmukh

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 4th March, 2022

PER COURT :

1. It is an application for withdrawal of amount moved by the applicants/
original claimants.
2. Heard Mr V.B. Kulkarni, learned counsel for the applicants, Mr R.C.
Patil, learned counsel for respondent No.1/State and Mr S.P. Deshmukh,
learned AGP for respondent Nos. 2 and 3.
3. It is evident from the record that the acquiring body/respondent No.1
has deposited entire amount of compensation with interest under the impugned
award.
4. It is the practice of this Court to allow the claimants to withdraw 75%
of the amount of compensation with interest on furnish usual undertaking which
may take care of interest of the acquiring body.

ORDER

- (A) The application is hereby allowed as under :-
- (i) The applicants are hereby permitted to withdraw 50% of the amount of compensation with interest thereon on furnishing usual undertaking with the satisfaction of the Registrar (Judicial) of this Court.
 - (ii) The applicants are further permitted to withdraw 25% of the amount of compensation with accrued interest thereon on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.
 - (iii) Remaining compensation amount shall be invested in Fixed Deposit of any nationalized bank initially for a period of one year with the renewal clause.
 - (iv) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

mta