

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

931 CIVIL APPLICATION NO.6111 OF 2022
IN FAST/12066/2016

PARSHURAM DAJI GUND (DIED)
THROUGH LRS ASHOK S/O PARSHURAM GUND
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANABAD AND OTHERS

...

Advocate for Applicant : Mr. Laxmikant C. Patil.

Advocate for Respondent No.1: Mr. Pravin S. Patil.

AGP for Respondent/State: Mr. S. P. Deshmukh.

...

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

DATE : 20th April, 2022.

P.C.:

. It is an application for withdrawal of compensation amount moved by the applicant/claimant.

2 Heard Mr. Laxmikant C. Patil, learned counsel for the applicant, Mr. Pravin S. Patil, learned counsel for respondent No.1/acquiring body and Mr. Deshmukh, learned AGP for respondent Nos.2 and 3.

3 The learned counsel for applicant submitted that this Court in Civil Application No.4650 of 2021 (Coram : R. G. Avachat, J.) by order dated 16th July, 2021 was pleased to allow the claimant to withdraw 75% of the amount of compensation. He seeks similar relief.

4 There is no dispute that this matter is arising out of same group and project. As such, it is necessary to give same treatment by allowing this application. By taking the same view, the following order is passed:

ORDER

- I. The application is hereby allowed.
- II. The applicant/claimant is hereby permitted to withdraw 50% of the amount of compensation with accrued interest thereon on furnishing usual undertaking with the Registrar (Judicial) of this Court.
- III. The applicant/claimant is 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.
- IV. Remaining 25% of the compensation amount with accrued interest thereon shall be invested in fixed deposit account in any Nationalized Bank initially for a period of one year with renewal clause.
- V. The application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]