

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

911 CIVIL APPLICATION NO.5252 OF 2022
IN FA/2678/2021

LATUR GORAKSHAN SANSTHA LATUR
THR ITS PRESIDENT

VERSUS

THE G.M.I.D.C., THR THE EX. ENGINEER,
MINOR IRRIGATION DIVISION, LATUR AND ANR

...

Advocate for Applicant : Mr S.S. Rathi
AGP for Respondent No. 2/State : Mr N.T. Bhagat
Advocate for Respondent No. 1 : Mr A.M. Gaikwad

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 28th APRIL, 2022

PER COURT :

1. It is an application for withdrawal of compensation amount moved by the applicant.
2. Heard Mr S.S. Rathi, learned counsel for the applicant, Mr A.M. Gaikwad, learned counsel for respondent No.1 and Mr N.T. Bhagat, learned AGP for the State/respondent No.2.
3. It is revealed during the course of argument that the acquiring body has deposited 75% of the amount of compensation with accrued interest thereon in this Court as per the orders passed by this Court. The applicant is seeking withdrawal of the compensation amount. It is the practice followed by this Court to allow the claimants to withdraw 75% of the amount of compensation. The applicant is permitted to withdraw entire amount of the compensation which is deposited by the acquiring body.

4. By taking the same view, I proceed to pass the following order :-
- (A) The application is hereby allowed as under :-
- (i) The applicant is permitted to withdraw 50% of the amount of compensation with accrued interest thereon on furnishing usual undertaking to the Registrar (Judicial) of this Court.
- (ii) The applicant is further permitted to withdraw remaining 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) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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