

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

**938 CIVIL APPLICATION NO.5967 OF 2022
IN FA/225/2021 WITH CA/7788/2019 IN FA/225/2021**

**PUNDALIK CHINDHU BARHATE (DEAD) THROUGH LRS
PURUSHOTTAM AND ANOTHER
VERSUS
THE AREA MANAGER, MIDC, JALGAON AND OTHERS**

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Mr. S.A. Mulla, Advocate holding for Mrs. Usha Yadav,
Advocate for the applicants.

Mr. A.B. Chate, A.G.P. for respondent – State.

Mr. S.S. Dande, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 29.11.2022.

ORDER:-

1. Heard the rival submissions. The applicants are seeking withdrawal of the entire amount of compensation as deposited by respondent No.1 - Acquiring Body. However, learned Counsel for the applicants pointed out the order dated 27th July 2022 of this Court whereby the applicants therein are permitted to withdraw 50% of the deposited amount on undertaking. As such the same order will follow.

2. The applicants herein are permitted to withdraw 50% of the deposited amount alongwith the proportionate accrued interest thereon till date, on usual undertaking before the learned Registrar (Judicial) of this Court. The remaining

amount be invested in F.D.R. in any Nationalized Bank on yearly renewal basis, till final disposal of the appeal.

3. The application is accordingly disposed.

(SANDIPKUMAR C. MORE, J.)