

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

906 CIVIL APPLICATION NO.5541 OF 2022

IN FA/580/2021

WITH CA/5542/2022 IN FA/578/2021

SATISH SHIVAJI CHEDE

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH COLLECTOR, OSMANABAD AND OTHERS

...

Advocate for Applicant : Mr. Abhijit S. More.

AGP for Respondent/State: Mr. A. B. Chate.

Advocate for Respondent No.2: Mr. Ranjit B. Gaikwad.

...

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

DATE : 29th April, 2022.

P.C.:

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

2 Heard Mr. Abhijit More, learned counsel for the applicants/claimants, Mr. R. B. Gaikwad, learned counsel for respondent No.2/acquiring body and Mr. A. B. Chate, learned AGP for respondent Nos.1 and 3.

3 Mr. More seeks leave to place on record copy of order passed by this Court in Civil Application No.11380 of 2021 with connected matter arising out of same group. Leave granted. The same is take on

record and marked as 'X' for identification.

4 Mr. Abhijit More, learned counsel for the applicants/claimants seeks similar order.

5 Mr. R. B. Gaikwad, learned counsel for acquiring body and Mr.A.B.Chate, learned AGP for State have been fair enough to admit the above said position of passing of order by this Court arising out of the same project. On going through the copy of order marked as 'X', it is revealed that the applicants are allowed to withdraw 75% of the amount of compensation with accrued interest thereon. By taking the same view, I proceed to pass the following order:

ORDER

- I. The applications are hereby allowed as under:
- II. The applicants/claimants are 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 applicants/claimants are further permitted to withdraw 25% of the amount of compensation with

accrued interest thereon on furnishing solvent surety/security/bank guarantee to the satisfaction of the Registrar (Judicial) of this Court.

IV. The applications are accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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