

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

**CIVIL APPLICATION NO.6478 OF 2022 IN FA/2367/2019**

**BALBHIM KONDIBA BIRAJDAR**

**VERSUS**

**THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,  
OSMANABAD AND OTHERS**

**WITH**

**CIVIL APPLICATION NO.6479 OF 2022 IN FA/2369/2019**

**NANDKUMAR @ SHIVANAND SIDRAM PATIL**

**VERSUS**

**THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,  
OSMANABAD AND OTHERS**

....

Mr. L.C. Patil, Advocate for the Applicants

Mr. S.N. Morampalle, AGP for Respondent Nos.1 and 2

....

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

**DATE : 27<sup>th</sup> APRIL, 2022**

**PER COURT:-**

1. These are the applications for withdrawal of the compensation amount moved by the applicants / claimants.
2. Heard Mr. L.C. Patil, learned counsel for the applicants / claimants and Mr. S.N. Morampalle, learned AGP for respondent Nos. 1 and 2 / State. Perused the common impugned judgment and award passed in L.A.R. No.1104 of 2010 with connected matters.
3. It is the practice followed by this Court to allow the original claimants to withdraw 75% amount of the compensation arising out of compulsory land acquisition cases. I do not see any reason

to take a different view. By taking same view, I proceed to pass the following order.

**ORDER**

- (i) The applications are hereby allowed.
- (ii) The applicants / claimants are permitted to withdraw 50% of the amount of compensation with accrued interest thereon subject to furnishing usual undertaking to the satisfaction of 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 in the like amount to the satisfaction of the Registrar (Judicial) of this Court.
- (iv) Remaining 25% of the amount of compensation with accrued interest thereon shall be invested in fixed deposit in any nationalized Bank initially for a period of one year with clause of renewal.
- (v) The civil applications are accordingly disposed of

**[ SHRIKANT D. KULKARNI ]**  
**JUDGE**

S.P. Rane