

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

**936 CIVIL APPLICATION NO.9106 OF 2022
IN FAST/23133/2020**

**ABHIMANU S/O DIGAMBAR WAGHMARE (DIED) THROUGH
LRS SUNIL AND OTHERS
VERSUS
THE EX. ENGINEER, IRRIGATION DEPARTMENT (DIEV)
OSMANABAD AND OTHERS**

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Mr. Ramesh Naiknaware, Advocate for the applicants.
Mr. P.M. Kulkarni, A.G.P. for respondent – State.
Mr. S.P. Sonpawale, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20.12.2022.

ORDER:-

1. Heard rival submissions. The applicants are seeking withdrawal of entire compensation amount which has been deposited by the Acquiring Body. The learned Counsel for the Acquiring Body strongly opposed the application on the ground that the learned Reference Court has granted exorbitant compensation. In view of the same, the applicants herein are permitted to withdraw 50% of the deposited amount alongwith the interest accrued thereon, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% of the deposited amount alongwith the interest by furnishing solvent surety / security. The remaining

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

2. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)