

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

921 CIVIL APPLICATION NO.6673 OF 2022
IN FAST/39017/2019

NEMINATH TULSHIRAM AMBEKAR,
JAIN (DIED) THR LRS SULOCHANA AND ORS

VERSUS

THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Mr D.A. Bide
AGP for Respondent/State : Mr A.B. Chate

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

PER COURT :

1. It is an application for withdrawal of compensation amount moved by the original claimants.
2. Heard Mr D.A. Bide, learned counsel for the applicants/original claimants and Mr A.B. Chate, learned AGP for Respondent No.1/State.
3. It is a case of compulsory land acquisition by the State. It is the practice followed by this Court to allow the claimants to withdraw 75% of the amount of compensation in compulsory land acquisition cases. I do not find any reason to take any different view. By taking the same view, I proceed to pass the following order :-

ORDER

- (i) The application is allowed.

- (ii) The applicants/original claimants are hereby permitted to withdraw 50% of the amount of compensation on furnishing usual undertaking with the Registrar (Judicial) of this Court.
- (iii) The applicants/original claimants are further permitted to withdraw 25% of the amount of compensation on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.
- (iv) The remaining 25% of the balance amount shall be invested in the Fixed Deposit Account in any nationalized bank for a period of one year with renewal clause.
- (v) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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