

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

926 CIVIL APPLICATION NO.7119 OF 2022

IN FA/918/2022

WITH CA/7120/2022 IN FA/920/2022

WITH CA/7130/2022 IN FA/919/2022

WITH CA/7127/2022 IN FA/921/2022

HANUMANT GOKUL GORE

VERSUS

THE EXE. ENGINEER, MINOR IRRIGATION DIV.,
OSMANABAD THR. MOHAN BALIRAM KADE AND OTHERS

...

Advocate for Applicant : Mr. Vivek V. Tarde.

Advocate for Respondent No.1 : Mrs. Sunita D. Shelke.

AGP for Respondent/State: Mr. S. P. Deshmukh.

...

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

DATE : 05th May, 2022.

P.C.:

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

2 Heard Mr. Tarde, learned counsel for the respective applicants/claimants, Mrs. Sunita Shelke, learned counsel for the acquiring body and Mr. Deshmukh, learned AGP for the State.

3 Mr. Tarde seeks leave to place on record copy of order passed by this Court in Civil Application No.12947 of 2019 with connected

matters dated 10th December, 2019. The same is taken on record and marked as 'X' for identification. Mr. Tarde seeks similar relief of withdrawal of compensation.

4 Mrs. Sunita Shelke, learned counsel for the acquiring body and Mr. Deshmukh, learned AGP for the State conceded the positing of passing of the order earlier passed by this Court arising out of same group thereby allowing the claimants to withdraw in all 75% of the amount in deposit. I do not see any reason to take any different view. By taking the same view, I proceed to pass the following order:

ORDER

- I. The applications are hereby allowed as under:
- II. The respective applicants/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 respective applicants/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. Remaining 25% of the compensation amount with accrued interest thereon shall be invested in fixed deposit account in any Nationalized Bank initially for a period of one year with renewal clause.
- V. The applications are accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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