

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

924 CIVIL APPLICATION NO. 7113 OF 2022
IN FA/2941/2018

KESHARBAI W/O BHUJANGRAO TANPURE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Dattatraya R. Jayabhar, Advocate for Applicants.
Mr. A. B. Chate, AGP for Respondent No.1/State.
Mr. G. B. Rajale, Advocate for Respondent No.2.

...

AND

924 CIVIL APPLICATION NO. 7111 OF 2022
IN FA/2933/2018

BHUJANGRAO S/O UMRAO TANPURE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Dattatraya R. Jayabhar, Advocate for Applicants.
Mr. A. B. Chate, AGP for Respondent No.1/State.
Mr. G. B. Rajale, Advocate for Respondent No.2.

...

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

DATE : 05th May, 2022.

P.C.:

. These are the applications for withdrawal of compensation amount moved by the respective applicant/claimant.

2 Heard Mr. Jayabhar, learned counsel for claimants, Mr. Rajale, learned counsel for acquiring body and Mr. Chate, learned AGP for the State.

3 It is revealed during course of argument that this Court was pleased to allow the claimants in Civil Application No.3169 of 2021 to withdraw 50% of the amount of compensation vide order dated 12th July, 2021. Similar order is also passed in Civil Application No.12176 of 2019 with connected matters dated 22nd November, 2019. Copies of both the orders are placed on record at page Nos.9 to 11.

4 Mr. Rajale, learned counsel for acquiring body is fair enough to admit the above said position of passing of earlier order by this Court arising out of same project and group. By taking the same view, I proceed to pass the following order:

ORDER

- I. Both the applications are hereby allowed as under:
- II. The Registry is directed to transfer 50% of the amount of compensation deposited by the acquiring body in this Court to the Reference Court as per the prayer made by the applicants/claimants in respective application.
- III. The applicants/claimants are hereby permitted to withdraw 50% of the amount of compensation on

furnishing usual undertaking to the satisfaction of the Reference Court.

- IV. Remaining 50% 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. Both the applications are accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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