

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10129 OF 2022
IN FIRST APPEAL NO. 677 OF 2021
WITH CA/10131/2022 IN FA/676/2021
WITH CA/10130/2022 IN FA/675/2021

DEVIDAS TUKARAM KUDALE (DIED) THR LRS PARVATI AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR
OSMANABAD AND OTHERS

...
Advocate for Applicants : Mr. L.C. Patil
AGP for Respondent Nos. 1 and 2 : Ms. D.S. Jape
Advocate for Respondent No.3 : Mr. S.C. Arora
....

CORAM : S.G. DIGE, J.
DATE : 20th July, 2022

ORDER :

. Heard learned Counsel for applicants, learned A.G.P. for respondent Nos.1 and 2 and learned Counsel for respondent No.3.

2. Learned Counsel for applicants submits that, respondent No.3 has preferred the appeal against the order of learned Reference Court. Respondent No.3 has

deposited the entire award amount before this Court. In the connected appeals this Court has permitted to withdraw the amount to the original claimant as applicants are farmers and they need money for daily expenses hence, requested to allow the applications.

3. Learned Counsel for respondent No.3 strongly objected to allow the application on the ground that, excessive compensation is granted by the learned Reference Court.

4. Considering the submissions of learned Counsel as well as in connected group of matters this Court has allowed the claimants therein to withdraw the amount. Hence, I pass the following order :

ORDER

- a) The applicants are permitted to withdraw 75% amount by furnishing usual undertaking and 25% amount by furnishing solvent security.

[S.G. DIGE, J.]