

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10742 OF 2022
IN FIRST APPEAL (ST) NO. 14038 OF 2020

SHIVAJI BHANUDAS SHERKAR
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR
OSMANABAD AND OTHERS

...
Advocate for Applicant : Mr. L.C. Patil
AGP for Respondent Nos. 1 and 2 : Mr. S.S. Dande
Advocate for Respondent No.3 : Ms. C.R. Kutti-Choudhary
....

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

ORDER :

. Heard learned Counsel for applicant, 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. This Court has permitted to withdraw the amount to the

original claimant as applicant is farmer and he needs money for daily expenses hence, requested to allow the application.

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 reasons mentioned in the application, 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 50% amount by furnishing usual undertaking and 25% amount by furnishing solvent security.

[S.G. DIGE, J.]