

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

46 CIVIL APPLICATION NO.10119 OF 2022
IN FIRST APPEAL STAMP NO.6213 OF 2021

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MACHHINDRA MARUTI MUNDE & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

...

Advocate for applicants : Mr.S.R.Kedar
AGP for respondent-State : Mrs.D.S.Jape

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CORAM : S.G.DIGE, J.
DATE : 18.07.2022

P.C. :

1] Heard the learned counsel for the applicants
and the learned AGP for the respondent-State.

2] The learned counsel for the applicants submits
that the respondents have challenged the impugned
judgment and award of the learned Reference Court and
has deposited the entire amount before this Court. The
applicants are the poor agriculturists. The compensation of
their agricultural land are taken away in the year 1996. Yet
they have not received compensation amount. They have no
other source of income. They are facing financial crisis for

day to day activities, hence, the applicants be permitted to withdraw the entire deposited amount.

3] I have heard both the learned counsel. The lands of the applicants are acquired in the year 1996. They have not received compensation amount. They are poor farmers. They have no source of income. They are facing financial crisis for day to day activities. Considering these facts, I pass the following order :-

ORDER

i] The application is allowed. The applicants are permitted to withdraw 50% amount with accrued interest, out of the deposited amount, by giving undertaking. The applicants are permitted to withdraw 25% amount with accrued interest out of deposited amount by furnishing solvent surety. The remaining 25% amount shall deposit in Fixed Deposit.

ii] Civil Application is disposed of accordingly.

[S.G.DIGE]
JUDGE