

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

**CIVIL APPLICATION NO. 11270 OF 2022 IN
FIRST APPEAL ST. NO. 5236 OF 2021**

Sudam s/o Kashinath Andhale

Applicant

Versus

The Executive Engineer & others

Respondents

Mr. S. R. Kedar, advocate for the Applicant

Mr. S. W. Munde, advocate for Respondent No.1.

Mr. P. N. Kutti, AGP for Respondents No.2 & 3.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 24th August, 2022.

PC :

1 Heard rival submissions.

2 The applicant is seeking withdrawal of entire amount of compensation which the Respondent-acquiring body has deposited with this Court.

3 The learned Counsel for Respondent No.1-acquiring body strongly opposed the application on the ground that the Reference Court has granted exorbitant compensation which is 10 times more than the compensation granted by the S. L. A. O. As such, for safeguarding the right of the acquiring body, following

order is passed:

(i) The applicant is permitted to withdraw 50% of the deposited amount along with the accrued interest thereon till date.

(ii) The applicant is allowed to withdraw 25% of the aforesaid amount on usual undertaking and the remaining amount of 75% on furnishing solvent security to the satisfaction of the Registrar (J) of this Court.

(iii) The balance of the 50% of the deposited amount be invested in FD in any Nationalised Bank till disposal of this appeal on periodical renewal on year to year basis.

4 Civil Application stands disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb