

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

937 CIVIL APPLICATION NO.11400 OF 2022
IN FA/980/2009 WITH CA/1404/2009 IN FA/980/2009

KASHINATH MAHADA KUMBHAR AND ORS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIV. LATUR THR GMIDC

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Advocate for Applicants : Mr. M. D. Shinde
AGP for Respondent Nos.2 & 3: Mr. S. R. Yadav
Advocate for Respondent No.1 : Ms. Sunita D. Shelke h/f
Ms. Kavita K. Teware

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 16/09/2022.**

P. C. :

IN CIVIL APPLICATION NO.11400 OF 2022 :

1. Heard.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon. The learned counsel for the acquiring body opposed the application on the ground that the reference court has granted exorbitant amount of compensation which is beyond four times of the amount granted by SLAO.
3. However, though the award is of 2008, but the amount appears to be deposited in the year 2020. In view of the same and considering the enhancement granted by the learned reference court, which is more than four times, the applicants are permitted to withdraw 50% of the deposited amount of compensation alongwith the interest accrued thereon till date on usual

undertaking to the satisfaction of the Registrar (Judicial) of this court. The civil application is accordingly disposed of.

IN CIVIL APPLICATION NO. 1404 OF 2009 :

Since the acquiring body has deposited entire amount of the award alongwith interest accrued thereon, the application is made absolute in terms of prayer clause – B. Civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)