

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

**CIVIL APPLICATION NO. 15522 OF 2022 IN
FIRST APPEAL NO. 730 OF 2019**

Kashiraya Rudrappa Navtake
(died) through L. Rs.:

Applicants

Versus

The State of Maharashtra & others

Respondents

WITH
CIVIL APPLICATION NO. 15523 OF 2022 IN
FIRST APPEAL NO. 731 OF 2019

WITH
CIVIL APPLICATION NO. 15526 OF 2022 IN
FIRST APPEAL NO. 738 OF 2019

WITH
CIVIL APPLICATION NO. 15528 OF 2022 IN
FIRST APPEAL NO. 739 OF 2019

WITH
CIVIL APPLICATION NO. 15524 OF 2022 IN
FIRST APPEAL NO. 732 OF 2019

WITH
CIVIL APPLICATION NO. 15529 OF 2022 IN
FIRST APPEAL NO. 734 OF 2019

WITH
CIVIL APPLICATION NO. 15530 OF 2022 IN
FIRST APPEAL NO. 735 OF 2019

WITH
CIVIL APPLICATION NO. 15532 OF 2022 IN
FIRST APPEAL NO. 736 OF 2019

Mr. A. B. Kale, advocate for the Applicants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. A. M. Gaikwad, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 06th December, 2022.

PC :

Heard.

Issue notice to the respondents.

Learned AGP waives notice for Respondents No. 1 & 2. Learned Counsel Mr. A. M. Gaikwad waives notice for Respondent No.3-acquiring body.

Heard rival submissions.

The respective applicants, in all these applications, are seeking withdrawal of entire amounts of compensation which have been deposited by the acquiring body pursuant to the respective impugned awards.

The learned Counsel for the acquiring body strongly opposed the applications on the ground that the Reference Court has awarded exorbitant amount of compensation. However, the learned Counsel for the applicants pointed out that the SLAO had in fact granted meager amount of compensation and the Reference Court, thereafter, considering the contemporary sale instances of higher rate, has enhanced the compensation.

In view of the same, the applicants herein are permitted to withdraw 75% of the deposited amounts along with accrued interest thereon till date in their respective matters on furnishing usual undertaking to the satisfaction of the Registrar (J) of this Court. The remaining amount be invested in FDR in any Nationalised Bank till final disposal of these appeals.

Civil Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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