

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

**CIVIL APPLICATION NO. 11463 OF 2022 IN
FIRST APPEAL ST. NO. 24692 OF 2021**

Balaji Gangadhar Panchal @ Kamtalwar

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. A. D. Hande, advocate for the Applicant

Mr. S. N. Kendre, AGP for Respondents No.1 & 2.

Mr. M. C. Swami, advocate for Respondent No.3.

WITH
CIVIL APPLICATION NO. 11464 OF 2022 IN
FIRST APPEAL ST. NO. 24712 OF 2021

WITH
CIVIL APPLICATION NO. 11465 OF 2022 IN
FIRST APPEAL ST. NO. 24687 OF 2021

WITH
CIVIL APPLICATION NO. 11469 OF 2022 IN
FIRST APPEAL ST. NO. 24705 OF 2021

WITH
CIVIL APPLICATION NO. 11470 OF 2022 IN
FIRST APPEAL ST. NO. 24663 OF 2021

WITH
CIVIL APPLICATION NO. 11471 OF 2022 IN
FIRST APPEAL ST. NO. 24669 OF 2021

WITH
CIVIL APPLICATION NO. 11472 OF 2022 IN
FIRST APPEAL ST. NO. 24696 OF 2021

WITH
CIVIL APPLICATION NO. 11473 OF 2022 IN
FIRST APPEAL ST. NO. 24681 OF 2021

WITH
CIVIL APPLICATION NO. 11474 OF 2022 IN
FIRST APPEAL ST. NO. 24701 OF 2021

WITH
CIVIL APPLICATION NO. 11475 OF 2022 IN
FIRST APPEAL ST. NO. 24708 OF 2021

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 17th October, 2022.

PC :

Heard rival submissions.

The learned Counsel for the acquiring body submits that the acquiring body has deposited entire amount of impugned awards in all these matters except the amount of interest under Section 28 of the Act, which is to be calculated from the date of award and not from the date of possession, as per the settled position.

It appears that all these appeals are in respect of disputed amount of interest granted by the Reference Court from the date of possession under Section 28 of the Act. Further, it is also pertinent to note that the amounts of the impugned awards are not deposited in this Court but the same are deposited with the Reference Court. As such, the permission, as sought by the claimants for withdrawal, cannot be granted here. On the contrary, all the applicants are at liberty to file appropriate applications before the concerned Reference Court for withdrawal of the aforesaid amounts deposited by the acquiring body.

Accordingly, all these applications for withdrawal of amount are disposed of with liberty, as aforesaid.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 4075 OF 2022 IN
FIRST APPEAL ST. NO. 24692 OF 2021**

The Executive Engineer,
Urdhva Penganga Project No.6,
Nanded

Applicant

Versus

Balaji Gangadhar Panchal @ Kamtalwar
& others

Respondents

Mr. M. C. Swami, advocate for the Applicant
Mr. A. D. Hande, advocate for Respondent No.1.
Mr. S. N. Kendre, AGP for Respondents No.2 & 3.

WITH
CIVIL APPLICATION NO. 4109 OF 2022 IN
FIRST APPEAL ST. NO. 24712 OF 2021
WITH
CIVIL APPLICATION NO. 4078 OF 2022 IN
FIRST APPEAL ST. NO. 24687 OF 2021
WITH
CIVIL APPLICATION NO. 4101 OF 2022 IN
FIRST APPEAL ST. NO. 24705 OF 2021
WITH
CIVIL APPLICATION NO. 4113 OF 2022 IN
FIRST APPEAL ST. NO. 24663 OF 2021
WITH
CIVIL APPLICATION NO. 4084 OF 2022 IN
FIRST APPEAL ST. NO. 24669 OF 2021
WITH
CIVIL APPLICATION NO. 4097 OF 2022 IN
FIRST APPEAL ST. NO. 24696 OF 2021
WITH
CIVIL APPLICATION NO. 4081 OF 2022 IN
FIRST APPEAL ST. NO. 24681 OF 2021
WITH
CIVIL APPLICATION NO. 4099 OF 2022 IN
FIRST APPEAL ST. NO. 24701 OF 2021
WITH
CIVIL APPLICATION NO. 4103 OF 2022 IN
FIRST APPEAL ST. NO. 24708 OF 2021

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 17th October, 2022.

PC :

Heard.

Interim relief, if any, to continue.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb