

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

918 CIVIL APPLICATION NO.11842 OF 2022
IN FA/91/2021

SHRIMANT SADHU PHADTALE (DIED) THR LRS. DHODIBA
SHRIMANT PHADTALE
VERSUS
THE EX. ENGINEER, PATBANDHARE MAJBUTIKARAN DIVISION
OMERGA, OSMANABAD AND OTHERS

...
Advocate for Applicant : Ms. L. R. Thakur h/f Mr. L. C. Patil
AGP for Respondent Nos.2 & 3: Mr. P. N. Kutti
Advocate for Respondent No.1 : Mr. G. B. Rajale

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 23/08/2022.

P. C. :

1. The applicant is seeking withdrawal of entire amount of compensation alongwith accrued interest thereon, which has been deposited by respondent No.3 – acquiring body. However, in other similar other matter this court has permitted to withdraw 75% amount to the applicants therein under order dated 07/01/2021. Obviously, the same order will follow.

2. 75% of the amount of compensation deposited by acquiring body in this matter, be paid to the applicant on following conditions.

A) 50% of the amount be paid to the applicant alongwith accrued interest thereon by furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

- B) 25% of the amount be paid to the applicant along with accrued interest thereon on furnishing solvent security to the satisfaction of Registrar (Judicial) of this Court.
- C) The remaining amount be kept in FDR in any nationalized bank till disposal of appeal on periodical renewal.
- D) Civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)