

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

14 CIVIL APPLICATION NO.13722 OF 2021
IN FA/645/2020

SHYAM GYANDEO SHELAR
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, SUB DIVISIONAL
OFFICER, PACHORA DIV., JALGAON AND OTHERS

Mr M.R. Palpani, Advocate h/f Mr A.B. Kale, Advocate for applicant
Mr P.M. Kulkarni, A.G.P. for respondents No.1 and 2
Ms A.R. Mate, Advocate i/b Jay and Co. for respondent no.3/acquiring body

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 25th April, 2022

PER COURT :

1. It is an application for withdrawal of compensation of amount moved by the applicant.
2. Heard Mr M.R. Malpani holding for Mr A.B. Kale, learned Advocate for applicant, Ms A.R. Mate instructed by Jay and Co. for respondent No.3/acquiring body and Mr P.M. Kulkarni, learned A.G.P. for respondents No.1 and 2/State.
3. Mr Malpani, learned Advocate for applicant seeks leave to place on record copy of order passed by this Court in Civil Application No.3155 of 2022 dated 1.4.2022. Leave granted. The copy of order dated 1.4.2022 is taken on record and marked as "X" for identification. He seeks similar order for withdrawal of compensation amount.
4. Ms A.R. Mate, learned Advocate instructed by Jay and Co. for respondent No.3/acquiring body and Mr P.M. Kulkarni, learned A.G.P. for respondents No.1 and 2/State have fair enough to concede about passing of

earlier order passed by this Court in above referred matter thereby allowing the claimants to withdraw 50% amount of compensation with accrued interest thereon. I do not see any reason to take different view. I proceed to pass the following order.

ORDER

The application is hereby allowed as under :

- (i) The applicants are permitted to withdraw 50% of the amount of compensation with accrued interest thereon on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- (ii) The remaining 50% balance amount shall be invested in fixed deposit account in any Nationalised Bank initially for a period of one year with renewal clause.
- (iii) Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)