

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

**17 CIVIL APPLICATION NO.13199 OF 2022
IN FA/3301/2017**

**BHARAT PARAPPA SHINDE
VERSUS
THE EX. ENGINEER, OSMANABAD MEDIUM PROJECT DIV.
OSMANABAD AND OTHERS**

...
Advocate for Applicant : Patil Jayant R.
AGP for Respondent/s – State : Mr. P. N. Kutti
Advocate for Respondent No.1 : Mr. J. R. Patil h/f.
Mr. G.B. Rajale
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 19.09.2022

PER COURT :

. Heard rival submissions.

2. The applicant is claiming withdrawal of Rs.5,31,601/- deposited by the Acquiring Body in this Court. The learned counsel for the Acquiring Body opposed the application on the ground that the Reference Court has granted exorbitant compensation. However, he conceded that 75 % of such compensation amount may be permitted to be withdrawn by the applicant / claimant. In view of the same, following order is passed :-

ORDER

- (i) The application is partly allowed.
- (ii) The applicant is permitted to withdraw 75 % of the deposited compensation amount along with the interest accrued thereon till date. The 50 % amount be paid to the applicant on furnishing usual undertakings whereas 25 % amount be paid to the applicant by furnishing solvent surety / security to the satisfaction of the Registrar (Judicial) of this Court.
- (iii) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-