

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

CIVIL APPLICATION NO.10482 OF 2021 IN FA/2060/2021

**BHANUDAS YEDBA BHOSALE (SINCE DECEASED) THROUGH
LRS. RAMESH BHANUDAS BHOSLE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, L.I.D. OSMANABAD THROUGH
HANUMANT V. MORE, SUB DIVISIONAL OFFICER,
OSMANABAD AND OTHERS**

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Mr. G.J. Kore, Advocate for the Applicants
Mr. S.C. Arora, Advocate for Respondent No.1
Mr. S.P. Deshmukh, AGP for Respondent Nos. 2 and 3 / State

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 27th APRIL, 2022

PER COURT:-

1. It is an application for withdrawal of compensation amount moved by the applicants / claimants.
2. Heard Mr. Kore, learned counsel for the applicants / claimants, Mr. S.C. Arora, learned counsel for respondent No.1 / acquiring body and Mr. Deshmukh, learned A.G.P. for respondent Nos. 2 and 3 / State.
3. Mr. Kore, learned counsel for the applicants / claimants seeks leave to place on record the copy of order passed by this

Court in Civil Application No.10484 of 2021 in First Appeal No.2059 of 2021 and copy of order passed in Civil Application No. 9066 of 2021 in First Appeal (Stamp) No.9621 of 2017.

4. Leave granted. The copies are taken on record and marked as 'X' collectively for identification.

5. Mr. Kore, learned counsel for the applicants / claimants submits that this Court was pleased to allow the claimants to withdraw 75% of the amount of compensation with accrued interest thereon on furnishing usual undertaking, which are arising out the same project and group.

6. Mr. Arora, learned counsel for the acquiring body and Mr. Deshmukh, learned counsel for the State fairly conceded the position about the passing of earlier orders passed by this Court. By taking the same view, I proceed to pass the following order.

ORDER

(i) The application for withdrawal of amount is hereby allowed.

(ii) The applicants are permitted to withdraw 75% of the amount of compensation deposited by the acquiring body with accrued interest thereon on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(iii) Remaining 25% of the amount of compensation with accrued interest thereon shall be invested in fixed deposit in any nationalized Bank with the clause of renewal.

(iv) The civil application is disposed of accordingly.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane