

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

**926 CIVIL APPLICATION NO.14477 OF 2022
IN FAST/31065/2019**

**RANGNATH NAMDEO KADAM (DIED) THROUGH LRS.
PADMINBAI RANGNATH KADAM AND OTHERS
VERSUS**

**THE G.M.I.D.C., THROUGH ITS EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION OSMANABAD AND OTHERS**

WITH

WITH CA/14478/2022 IN FAST/31220/2019

**DEVIDAS NAMDEO KADAM (DIED) THROUGH LRS. RAMDAS
AND OTHERS
VERSUS**

**THE G.M.I.D.C., THROUGH ITS EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION OSMANABAD AND OTHERS**

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Mr. V.B. Deshmukh, Advocate for the applicants.
Mr. Ranjit B. Gaikwad, Advocate for respondent No.1.
Mr. S.N. Kendre, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13.10.2022.

ORDER:-

1. Heard the rival submissions. The applicants are claiming withdrawal of entire amount deposited by respondent No.1 Acquiring Body in this Court vide order dated 5th August 2021. The learned Counsel for the Acquiring Body strongly opposed the application on the ground that the Reference Court has granted exorbitant compensation.

2. The record shows that the Reference Court has granted six or seven times more compensation than the compensation granted by the SLAO. In view of the same, the following order is passed

ORDRR

- (i) The applicants are permitted to withdraw 50% of the deposited compensation amount on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. They are further permitted to withdraw 25% of the remaining amount by furnishing solvent surety / security.
- (ii) The aforesaid amounts be paid to the applicants alongwith the interest accrued thereon till date and the remaining amount be invested in F.D.R. in any Nationalized Bank till final disposal of the appeal.
- (iii) Application is disposed of accordingly

(SANDIPKUMAR C. MORE, J.)