

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

**CIVIL APPLICATION NO.14653 OF 2022 IN
FIRST APPEAL NO. 1608 OF 2021**

Venkat Shankarrao Sutar

Applicant

Versus

The Executive Engineer,
Irrigation Division (Lift),
Osmanabad & others

Respondents

Mr. A. V. Patil (Indrale), advocate for the Applicant
Mr. M. C. Swami, advocate for Respondent No.1.
Mr. P. M. Kulkarni, AGP for Respondents No. 2 and 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 17th October, 2022.

PC :

Heard.

The applicant is seeking withdrawal of remaining amount of compensation of Rs.4,47,352/-.

The learned Counsel for the applicant submits that the applicant is ready to furnish solvent surety/security.

The learned Counsel for Respondent No.1-acquiring body strongly opposed the application on the ground that the applicant claimant has already withdrawn almost 50% of the compensation amount i.e. Rs. 4,00,000/-. He pointed out that

though the SLAO has granted rate of Rs.635/- per R., but the learned Reference Court has enhanced the same by almost 9 times. The applicant has already withdrawn half of the compensation amount which comes to four times.

As such, I am not inclined to grant further withdrawal to the applicant, at this juncture.

Accordingly, Civil Application is hereby rejected.

(SANDIPKUMAR C. MORE)
JUDGE

adb