

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

932 CIVIL APPLICATION NO.14734 OF 2022
IN FAST/30056/2019 WITH 14735/2022 IN FAST/30259/2019

MACHINDRA KONDIBA BHALERAO (DIED) THROUGH LRS. ASHA
SHRIRANG MASKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR
AND ANOTHER

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Mr. P.C. Mayure, Advocate for the applicants.
Mr. P.N. Kutti, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 18.10.2022.

ORDER:-

1. Heard the rival submissions. The respective applicants in these applications are seeking withdrawal of the entire compensation amounts as deposited by the Appellant-State. It appears that the Reference Court has granted enhancement five times more than the rate awarded by the Special Land Acquisition Officer. Under such circumstances, 75% of the deposited amount can be permitted to be withdrawn by the concerned applicants at this juncture. As such, following order is passed.

ORDER

- (i) The concerned applicants are permitted to withdraw 50% of the deposited amount alongwith the proportionate accrued

interest thereon by furnishing usual undertaking before the Registrar (Judicial) of this Court and 25% of the deposited amount alongwith the proportionate accrued interest thereon by furnishing solvent security / surety to the satisfaction of Registrar (Judicial) of this Court. The remaining amount be invested in F.D.R. in any Nationalized Bank on year to year renewal basis till disposal of this appeal.

- (ii) The applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)