

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

924 CIVIL APPLICATION NO.15606 OF 2022
IN FA/2837/2022

VENKAT JAYAWANTA PAWAR (DIED) THR LRS. RAJABAI
VENKATPAWAR AND ORS
VERSUS
THE EXE. ENGINEER, MINOR IRRIGATION DIV., SINCHAN
BHAVAN, OSMANABAD AND ORS

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Advocate for Applicants : Mr. Ingale Vivekanand V.
AGP for Respondent No.2 & 3: Mr. P. M. Kulkarni
Advocate for Respondent Nos.1 : Mr. R. B. Deshpande

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 30/11/2022.

P. C. :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. The learned counsel for the acquiring body opposed the application on the ground that the reference court has granted exorbitant amount of compensation which is beyond four times of the amount granted by SLAO. He submitted that 50% amount be given on undertaking and the remaining 50% be allowed to be withdrawn by furnishing solvency surety / security
4. However, it appears that the compensation amount is only of Rs.1,26,114/-. Further it appears that the reference court has not

granted any interest for the further period from date of award. In view of the same, the applicants are permitted to withdraw the entire deposited amount of compensation alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. It is made clear that permission for withdrawal of entire amount is granted only by considering that the amount of compensation is comparatively meager.

6. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)