

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

**933 CIVIL APPLICATION NO.1427 OF 2023  
IN FAST/19338/2019**

**MAHADEV BABURAO PATIL (MOTE) AND ANOTHER  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Mr. Bhagwan Sable, Advocate for the applicants.  
Mr. B.V. Virdhe, A.G.P. for respondent Nos.1 and 2.

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**CORAM : SANDIPKUMAR C. MORE, J.**

**DATED : 08.02.2023.**

**ORDER:-**

1. Heard rival submissions. The applicants are seeking withdrawal of the entire compensation amount alongwith interest, as deposited by the State Acquiring Body. The learned A.G.P. strongly opposed the application on the ground that the Reference Court has granted 7 times more compensation as that of S.L.A.O.

2 In view of the same, the applicants are permitted to withdraw 75% of the deposited amount alongwith the proportionate interest thereon till date. It is pointed out that applicant No.2 is a old lady of 80 years. As such, the amount which is permitted to be withdrawn by the applicants be remitted to the concerned Reference Court i.e. Civil Judge (Senior Division), Osmanabad and on such remission, the

applicants shall furnish usual undertaking to the satisfaction of the concerned Reference Court at the time of withdrawing the said amount. The remaining amount be invested in F.D.R. in any Nationalized Bank on yearly renewal basis, till final disposal of this appeal.

3. The application is accordingly disposed of.

**(SANDIPKUMAR C. MORE, J.)**