

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

**CIVIL APPLICATION NO.1176 OF 2023 IN
FIRST APPEAL NO. 1013 OF 2022**

Adinath @ Ajinath s/o Dnyandeo
Bhandwalkar & others

Applicants

Versus

The Executive Engineer,
Medium Project Division,
Osmanabad & others

Respondents

Mr. S. Y. Mahajan, advocate for the Applicants
Mr. S. G. Bhalerao, advocate for Respondent No.1.
Mr. S. S. Dande, AGP for Respondents No.2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 21st March, 2023.

PC :

Heard rival submissions.

The applicants are seeking withdrawal of deposited amount of compensation, which according to order dated 21.12.2021, is 60% of the amount of award. Though there is certain objection raised by the learned Counsel for the applicants that the deposited amount does not tally with the 60% amount of impugned award, but that is to be considered separately.

The learned Counsel for the acquiring body strongly opposed the application. However, considering the fact that the acquiring body has deposited only 60% of the amount of impugned award and it is also disputed, the applicants, at this juncture, are permitted to withdraw whatever deposited amount of compensation along with accrued interest thereon till date by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb