

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

952 CIVIL APPLICATION NO.11556 OF 2023  
IN FA/2231/2022 WITH CA/4731/2022 IN FA/2231/2022 WITH  
CA/4729/2022 IN FA/2228/2022 WITH CA/11557/2023 IN  
FA/2228/2022

RAM MOHAN CHEDE  
VERSUS  
THE G.M.I.D.C., THR THE EX. ENGINEER, OSMANABAD MINOR  
IRRIGATION DIVISION AND ORS

...  
Advocate for Applicant : Mr. Undre Vikram Shivaji  
AGP for Respondents-State : Mr. K. N. Lokhande  
Advocate for Respondent No.1 : Mr. A. M. Gaikwad  
...

**CORAM : ARUN R. PEDNEKER, J.**  
**DATE : 21/09/2023**

**PER COURT :**

Heard the learned Advocate representing the appellants and respondents. The first appeals are filed by the acquiring body and they have deposited 60 % of the compensation awarded by the Reference Court along with interest amount in this Court.

2. The Civil Applications No.11556/2023 and 11557/2023 are filed for withdrawal of the compensation amount deposited in this Court. The learned Advocate for the applicants points out that in the identical petitions, where the acquiring body has deposited 100% of compensation amount, this Court has permitted to the applicants to withdraw 75 % of the deposited compensation amounts on usual

undertaking and remaining 25 % on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this court.

3. In view of the same, the applicants are permitted to withdraw the entire amount i.e. 75 % of the total amount of compensation granted by the Reference Court along with interest accrued thereon on usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Both the applications filed for withdrawal of amount stand disposed of.

4. In the civil applications filed for Stay, the learned Advocate for the applicants submits that the amount has been deposited in this Court as per the directions of this Court. In view of the same, the Stay order passed by this Court dated 30/03/2022, in both the applications for stay, is confirmed. Both applications filed for Stay stand disposed of.

5. Both appeals are **Admitted**.

6. Call for record and proceedings.

**( ARUN R. PEDNEKER, J. )**

*vj gawade/-.*