

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

**CIVIL APPLICATION NO.510 OF 2023 IN
FIRST APPEAL NO. 1273 OF 2021**

Indal s/o Gulchand Kahite (died)
through L. Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

**AND
CIVIL APPLICATION NO.2198 OF 2023 IN
FIRST APPEAL NO. 1277 OF 2021**

Ajabsing s/o Sardar Kahite

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. P. M. Janapurkar, advocate for the Applicant

Mr. B. V. Virdhe, AGP for Respondents No.1 & 3.

Mr. R. N. Pahune Patil, advocate holding for Mr. P. G. Rodge,
advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 20th February, 2023.

PC :

The learned Counsel for the respective applicants
submits that he would file *Vakalatnama* for both the
applicants during the course of the day.

Heard rival submissions.

The respective applicants, in these applications, are seeking withdrawal of entire amounts of compensation as deposited by the acquiring body.

The learned Counsel for the acquiring body strongly opposed the applications on the ground that the Reference Court has awarded exorbitant amount.

However, this Court, vide order dated 06th December, 2022, in other connected matters, has permitted the applicants therein to withdraw 75% of the deposited amounts. In view of the same, the applicants, in both these matters, are permitted to withdraw 75% of the deposited amounts along with proportionate interest accrued thereon till date on furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis till final disposal of these appeals.

Civil Applications are disposed of.

(SANDIPKUMAR C. MORE)
JUDGE