

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

18 CIVIL APPLICATION NO.3186 OF 2023
IN FA/135/2019 WITH CA/3187/2023 IN FA/134/2019 WITH
CA/3182/2023 IN FA/137/2019 WITH CA/3161/2023 IN
FA/136/2019

**MANIK AMBADAS BHUTEKAR
VERSUS
THE EXECUTIVE ENGINEER (P.T. AND M.I.WORKS) NO.1
OSMANABAD AND OTHERS**

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Mr. V.B. Deshmukh, Advocate for the applicants.

Mr. P.R. Tandale, Advocate for respondent No.1.

Mrs. G.L. Deshpande, A.G.P. for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13.03.2023.

ORDER:-

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their entire respective amounts of compensation, which have been deposited by the respondent Acquiring Body alongwith the interest accrued thereon.
3. The learned counsel for the Acquiring Body opposed the applications on the ground that the Reference Court has granted exorbitant amount of compensation and that the Acquiring Body was not made party in the proceedings before the Reference Court.

4. However, considering that the enhancement granted by the learned Reference Court, which is of five times, the applicants are permitted to withdraw 75% of the deposited amounts of compensation alongwith the proportionate interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court. The remaining amounts be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeals.

5. The civil applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)