

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.5581 OF 2023
IN FAST/4540/2018**

**BHIVAJI BAPURAO KENDRE (DIED) THR LRS.
PREMALA BHIVAJI KENDRE AND ANR
VS
BABURAO BHIVAJI KENDRE AND ORS**

...

Mr. G. K. Sontakke, Advocate for the Applicants.
Mr. P. M. Kulkarni, AGP for Respondents-State.
Mr. A. S. Deshpande, Advocate for Respondent Nos.1 to 3.
Mrs. Dipali S. Ansingkar (Jape), Advocate for Respondent No.5.

...

**AND
CIVIL APPLICATION NO.2746 OF 2023
IN FAST/4540/2018**

**BHIVAJI BAPURAO KENDRE DIED THR LRS
BABURAO BHIVAJI KENDRE AND ORS
VS
THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR LATUR AND ANR**

**AND
CIVIL APPLICATION NO.2744 OF 2023
IN FAST/4549/2018**

**NARMADABAI BHAGOJI SIRSAT DIED THR LRS
SUBHABAI EKNATH GITE AND ORS
VS
THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR LATUR AND ANR**

**AND
CIVIL APPLICATION NO.2739 OF 2023
IN FAST/4509/2018**

**HARISHCHANDRA NAMDEV GITE DIED THR
LRS INDRA BAI HARISHCHANDRA GITE AND ORS
VS
THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR LATUR AND ANR**

**AND
CIVIL APPLICATION NO.2741 OF 2023
IN FAST/4494/2018**

PARWATIBAI S.SANGLE DIED THR SAMBHAJI G.
SANGALE DIED THR LRS VASANT SAMBHAJI
SANGALE AND ORS

VS

THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR LATUR AND ANR

...

Mr. A. S. Deshpande, Advocate for the Applicants.

Mr. P. M. Kulkarni, AGP for Respondents-State.

Mrs. Dipali S. Ansingkar (Jape), Advocate for Respondent No.2.

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 04th AUGUST, 2023.

PER COURT:-

1. Heard learned Advocate appearing for the respective parties.

2. By these applications, the applicants seek to withdraw the amount of compensation deposited by the Acquiring Body in pursuance of the award passed by the Reference Court.

3. The learned Advocate appearing for the applicants submits that the entire amount as per award has been deposited. This Court in connected matters arising out of same acquisition has permitted withdrawal of 50% amount on furnishing undertaking.

4. The statement is not disputed by the learned Advocate appearing for the Acquiring Body.

5. In that view of the matter, there is no difficulty to follow the same course and permit the applicants to withdraw the amount. Hence, the following order:-

ORDER

- a. Civil Applications are allowed.
- b. The applicants are permitted to withdraw 50% of the amount deposited by the Acquiring Body alongwith accrued interest thereon subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- c. Civil Applications are disposed of.

(S. G. CHAPALGAONKAR)
JUDGE