

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 CIVIL APPLICATION NO.3624 OF 2021
IN FA/921/2020

SACHIN SHIVAJI KALDHONE

VERSUS

EX. ENGINEER, BEED IRRIGATION DIVISION,
BEED UNDER GMIDC, AURANGABAD AND ANR

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Advocate for Applicant : Mr T.G. Gaikwad
AGP for Respondent No. 2 /State : Mr S.B. Yawalkar
Advocate for Respondent No. 1 : Mr B.R. Surwase

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 24-02-2023

PER COURT :

1. This is an application for withdrawal of compensation amount moved by the applicant/claimant.
2. Heard Mr Gaikwad, learned advocate for the applicant/claimant, Mr B.R. Surwase, learned advocate for Respondent No.1 and Mr S.B. Yawalkar, learned AGP for Respondent No.2.
3. It is pointed out that in Civil Application 3403/2021 with connected matters arising out of same acquisition, this Court allowed claimants to withdraw 50% amount of compensation deposited by acquiring body. The same recourse needs to be adopted in absence of change in circumstances. In that view of the matter, following order is passed.

ORDER

- (i) The civil application is allowed.
- (ii) The applicant/claimant is permitted to withdraw 50% amount of compensation deposited by acquiring body along with accrued interest thereon subject to furnish usual undertaking with the Registrar (Judicial) of this Court.
- (iii) The civil application is accordingly disposed of.

[S.G. CHAPALGAONKAR, J.]

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