

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

934 CIVIL APPLICATION NO.3472 OF 2023
IN FAST/23895/2020 WITH CA/7914/2021 IN
FAST/23895/2020 WITH CA/7915/2021 IN
FAST/23895/2020

**BALWANT VENKATRAO PATIL
VERSUS
THE EX. ENGINEER, STRENGTHENING DIV. K.K.V.D.CORP.
OMERGA AND OTHERS**

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Mr. Ganesh Patil, Advocate for the applicant.
Mr. G.B. Rajale, Advocate for respondent No.1.
Mrs. G.L. Deshpande, A.G.P. for respondent Nos.2 and 3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 17th March 2023.

ORDER:-

IN CIVIL APPLICATION NO. 3472 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. The learned counsel for the acquiring body opposed the application on the ground that the Reference Court has enhanced the compensation by 8.5 times than that of the amount granted by SLAO.
4. In view of the same and considering the enhancement granted by the learned reference court, which is more than 8.5 times, the applicant is permitted to withdraw 75% of the deposited amount of compensation alongwith proportionate interest accrued thereon till date on usual

undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil applications are accordingly disposed of.

IN CIVIL APPLICATION NO. 7914 OF 2021 :

1. The appellant – acquiring body is seeking condonation of delay of 930 days, which appears to be cause due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 930 days stands condoned.

2. The appeal be placed for admission after removal of office objections, if any.

3. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 7915 OF 2021 :

. Since the appellant – Acquiring Body has deposited amount of compensation as directed by this court, the application is made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)