

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

**926 CIVIL APPLICATION NO.14528 OF 2022
IN FA/2254/2022 WITH CA/9303/2022 IN FA/2254/2022**

**PANDURANG S/O SITARAM JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS**

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Mr. Annasaheb Barate, Advocate for the applicant.
Mr. A.B. Chate, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 3rd May 2023.

ORDER:-

IN CIVIL APPLICATION NO. 14528 OF 2022 :

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 respondent Acquiring Body opposed the application on the ground that though the compensation granted is within four times, but the interest under Section 28 of the Land Acquisition Act is awarded from the date of possession.
4. In view of the same and considering the enhancement granted by the learned Reference Court, the applicants are

permitted to withdraw 75% of the deposited amount of compensation alongwith the 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 application is accordingly disposed of.

IN CIVIL APPLICATION NO. 9303 OF 2022 :

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

(SANDIPKUMAR C. MORE, J.)