

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

**927 CIVIL APPLICATION NO.3439 OF 2023
IN FA/1527/2022 WITH CA/9927/2022 IN FA/1527/2022**

**MAHIPATI GANPATI JAGDALE
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. Suhas Shirsath, Advocate for the applicant.
Mr. S.N. Morampalle, A.G.P. for respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 24th March 2023.

ORDER:-

IN CIVIL APPLICATION NO. 3439 OF 2023 :

1. Heard the rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation alongwith the interest accrued thereon, which has been deposited by the respondent State-Acquiring Body.
3. The learned A.G.P. strongly opposed the application on the ground that the learned Reference Court has granted exorbitant amount of compensation, which is almost 12 times of the amount granted by Special Land Acquisition Officer.
4. In view of the same and considering the enhancement granted by the learned Reference Court, which is of nearly 12 times, the applicant is permitted to withdraw 50%

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. 9927 OF 2022 :

. Since the State - Acquiring Body has deposited entire amount of compensation alongwith interest, the application is made absolute in terms of prayer clause (B) and disposed of.

(SANDIPKUMAR C. MORE, J.)