

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

955 CIVIL APPLICATION NO.5777 OF 2023
IN FA/4201/2022 WITH CA/6513/2022 IN FA/4201/2022

RAJMOHAMMAD S/O GULAB TAMBOLI
VERSUS
THE G.M.I.D.C., THR ITS EX. ENGINEER, MINOR IRRIGATION
DIV. OSMANABAD AND ORS

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Advocate for Applicant : Mr. V.V. Ingale
AGP for Respondent Nos.2 & 3: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. R. B. Gaikwad

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 28/04/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.5777 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 applicant placed on record copy of order dated 09/01/2019 whereby this court in connected matter has granted withdrawal 70% of the deposited amount. In view of the same the applicant herein is permitted to withdraw 70% 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.

B) ORDER IN CIVIL APPLICATION NO.6513 OF 2022 :

Since the applicant – acquiring body has deposited the entire amount of compensation, the application is made absolute in terms of prayer clause-A and disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-