

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

**951 CIVIL APPLICATION NO.7591 OF 2023
IN FA/2754/2021 WITH CA/8092/2021 IN FA/2754/2021**

**PRABHAWATI ANNARAO KANDALE
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS**

...

Mr. Laxmikant C. Patil, Advocate for the applicant.
Mr. P.M. Kulkarni, A.G.P. for respondent Nos.1 and 2.
Mr. A.M. Gaikwad, Advocate for respondent No.3.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 4th July 2023.

ORDER:-

IN CIVIL APPLICATION NO. 7591 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the respondent Acquiring Body alongwith the interest accrued thereon. It appears that the Acquiring Body has deposited only 75% of the total amount of compensation.
3. The learned Counsel for the respondent Acquiring Body opposed the application on the ground that the Reference Court has granted exorbitant amount of compensation, which is nearly six times of the amount granted by SLAO.

4. In view of the same and considering the enhancement granted by the learned Reference Court, which is nearly six times, the applicant is permitted to withdraw the entire deposited amount of compensation which is 75% of the total compensation, alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The civil application is accordingly disposed of.

IN CIVIL APPLICATION NO. 8092 OF 2021 :

. Since the appellant Acquiring Body has deposited the amount as directed by this Court, the application is made absolute in terms of prayer clause (A) and disposed of.

(SANDIPKUMAR C. MORE, J.)