

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

969 CIVIL APPLICATION NO.5242 OF 2023
IN FAST/31078/2019

ACHYUT SOPAN LOMTE DIED THR LRS SUMITRA DIED THR LRS
HANUMANT A LOMTE
VERSUS
THE EX. ENGINEER, MEDIUM PROJECT DIVISION, OSMANABAD
AND ORS

...

Advocate for Applicant : Mr. V. V. Tarde
AGP for Respondent Nos.2 & 3: Mr. B. V. Virdhe

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 12/07/2023.**

P. C. :

1. Heard learned counsel. The learned counsel for the acquiring body despite last chance, failed to appear.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. Vide order dated 20/04/2023, this court in other connected matters, has already permitted the applicants therein to withdraw 75% of the total compensation amounts. In view of the same the present applicants are permitted to withdraw 75% of the deposited amount i.e. 50% on usual undertaking and 25% on furnishing solvent security / surety alongwith the accrued interest thereon to the satisfaction of the Registrar (Judicial) of this court.

4. The remaining amount be invested in FDR in any nationalized bank on yearly renewal basis till final disposal of the appeal.
5. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)