

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

48 CIVIL APPLICATION NO.4429 OF 2023
IN FA/53/2020 WITH CA/14096/2018 IN FA/53/2020

CHANDRAKANT BAPU KALMATE
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIV. OSMANABAD
THRGMIDC AURANGABAD AND OTHERS

...
Advocate for Applicants : Mr. A. A. Nimbalkar
AGP for Respondent Nos.2 & 3: Mr. S. N. Kendre
Advocate for Respondent No.1 : Mr. S. G. Bhalerao
....

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 03/04/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.4429 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation alongwith interest, which has been deposited by the acquiring body.
3. The learned counsel for the acquiring body opposed the application on the ground that the reference court has granted exorbitant amount of compensation.
4. In view of the same, the applicant, at this stage, is permitted to withdraw 60% of the deposited amount of compensation alongwith the proportionate interest on usual undertaking to the satisfaction of 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.
7. Call R & P.

B) ORDER IN CIVIL APPLICATION NO.14096 OF 2018 :

Since the appellant acquiring body in this matter has deposited entire amount of compensation as directed by this court, the application is made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)