

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

**CIVIL APPLICATION NO.9158 OF 2021 IN
FIRST APPEAL ST. NO. 14293 OF 2019**

Arun Shivaji Kadam

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. L. C. Patil, advocate for the Applicant

Mr. A. B. Chate, AGP for Respondentd No.1 & 2.

Mr. R. A. Tambe, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 13th February, 2023.

PC :

Heard rival submissions.

The applicant-claimant is seeking withdrawal of entire amount of compensation along with the interest, which has been deposited by the acquiring body.

The learned Counsel for the acquiring body strongly opposed the application on the ground that the Reference Court has enhanced amount of compensation almost twelve times. However, the learned Counsel for the

applicant produced on record one letter dated 19.12.2019, wherein the concerned authority of the acquiring body has raised demand to their higher authority for allotting grants of Rs.148.03 lakhs for paying the compensation to the applicants in similar other matters viz. LAR Nos.913, 912, 910, 911 of 2010 and 98 of 2011, wherein even appeals are not preferred.

In view of the same, the applicant is permitted to withdraw 75% of the deposited amount along with accrued proportionate interest thereon by furnishing usual undertaking. The remaining amount be invested in FDR in any Nationalised Bank on yearly renewal basis till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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