

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

**CIVIL APPLICATION NO.3341 OF 2023 IN  
FIRST APPEAL NO. 1334 OF 2021**

Raosaheb s/o Vitthal Karhale

Applicant

Versus

The Executive Engineer,  
Minor Irrigation Division No.1,  
Aurangabad & another

Respondents

Mr. C. V. Bodkhe, advocate holding for Mr. R. V. Gore,  
advocate for the Applicant  
Miss Pallavi P. Waghirkar, advocate holding for Mr. S. G.  
Bhalerao, advocate for Respondent No.1.  
Mrs. G.L. Deshpande, AGP for Respondent No.2.

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 15<sup>th</sup> March, 2023.**

**PC :**

Heard rival submissions.

The applicant is seeking withdrawal of amount of compensation deposited by the acquiring body. However, under order dated 10.10.2022, this Court, in other connected matters, has already allowed the applicants therein to withdraw 80% of the amount of compensation.

In view of the same, the applicant herein is permitted to withdraw 80% of the deposited amount along with proportionate interest i.e. 50% on furnishing undertaking in usual terms and 30% on furnishing solvent surety/security to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis till final disposal of appeal.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

adb