

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO. 8135 OF 2023
IN FIRST APPEAL NO. 2157 OF 2022

BABRUWAN SHAMRAO KARPE AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
BEED (G.M.I.D.C. AURANGABAD) AND OTHERS

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Mr. R.D. Bhise – Advocate for Applicants
Mr. S.P. Tiwari – AGP for Respondent Nos.2 and 3
Mr. B.R. Survase – Advocate for Respondent No.1

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 6th July, 2023

PER COURT :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of their amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. The learned Counsel for the respondent – acquiring body strongly opposed the application on the ground that, enhancement is nearly about eight times as that of S.L.A.O.
4. In view of the same, present applicants are permitted to

withdraw 75% of the deposited compensation amount i.e. 50% on usual undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

5. The remaining amount be kept in F.D.R. in any nationalized bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE