

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

917 CIVIL APPLICATION NO.8592 OF 2023
IN FA/2818/2022

BHAGUBAI VISHNU GOLHARE
VERSUS
THE DISTRICT COLLECTOR, AURANGABAD THR THE S.L.A.O.,
JAIKWADI PRO-1, AURANGABAD AND ORS

...
Advocate for Applicant : Mr. Laxmikant C. Patil
AGP for Respondents: Ms. P.V. Diggikar.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 13TH JULY, 2023

ORDER :-

By this application, the applicant seeks withdrawal of the amount deposited by the respondent Acquiring Body in terms of the award passed by the Reference Court. Mr.Patil, learned counsel for the applicant submits that enhancement granted by the reference court is approximately 5 times. In similar awards, the acquiring body has not preferred any appeal.

2. The submissions advanced by the advocate for the applicant are not controverted by the advocate for respondents.

3. Considering the submissions advanced, a case is made out to allow the applicant to withdraw amount as under :-

[a] The Civil application is allowed.

[b] The applicant is permitted to withdraw 75% of the amount deposited by the acquiring body subject to furnishing usual undertaking to the satisfaction of the Registrar (judicial) of this court. The applicant is permitted to withdraw balance 25% amount subject to furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this court.

Civil application is disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-