

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

**941 CIVIL APPLICATION NO.5863 OF 2023
IN FA/1756/2021 WITH CA/8644/2021 IN FA/1756/2021**

**VISHWANATH SIDDHAM BARBADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS COLLECTOR,
OSMANABAD AND OTHERS**

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Mr. Santosh Patne, Advocate for the applicant.
Mr. S.S. Dande, A.G.P. for Respondent Nos.1 and 2.
Mr. M.S. Kulkarni, Advocate for respondent No.3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 3rd May 2023.

ORDER:-

IN CIVIL APPLICATION NO. 5863 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of entire amount of compensation alongwith the interest accrued thereon, which has been deposited by the respondent - Acquiring Body.
3. The learned counsel for the Acquiring Body strongly opposed the application on the ground that the Reference Court has granted exorbitant amount of compensation which is almost 50 times more than the amount granted by SLAO.
4. In view of the same, present applicant is permitted to withdraw 50% of the deposited compensation amount

alongwith the proportionate interest accrued thereon till date, on usual undertaking 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 disposal of this appeal

6. The civil applications are accordingly disposed of.

IN CIVIL APPLICATION NO. 8644 OF 2021 :

Since the appellant – Acquiring Body has deposited amount of compensation as directed by this court, the application is made absolute in terms of prayer clause-A and disposed of.

(SANDIPKUMAR C. MORE, J.)