

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

**CIVIL APPLICATION NO.12145 OF 2022 IN
FIRST APPEAL NO. 1440 OF 2019
WITH
CIVIL APPLICATION NO. 12150 OF 2022 IN
FIRST APPEAL NO. 1447 OF 2019
WITH
CIVIL APPLICATION NO. 12148 OF 2022 IN
FIRST APPEAL NO. 1448 OF 2019**

Mr. A. B. Kale, advocate for the Applicant
Mr. Chetan T. Jadhav, advocate for Respondent No.1.
Mr. B. V. Virdhe, AGP for Respondent No.2.
Mr. U. B. Gite, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st February, 2023.

PC :

Heard rival submissions.

The applicant- Omprakash Shivilal Agrawal, in all these applications, is seeking withdrawal of interest amount accrued on 75% of the deposited amount, which was allowed to be withdrawn by this Court under order dated 13.10.2021.

To ascertain as to how much amount of interest is there, the Registrar (J) was directed to submit report under order dated 20.01.2023. Accordingly, the Registrar (J) has

submitted report dated 24.01.2023 along with the report of Section Officer PLA Section and the chart annexed thereto. On going through the said chart, the amounts of interest in the respective applications, falling to the share of applicant – Omprakash as on 23.01.2023, are shown in column no.8. The interest amounts, which are due to the other applicant – Ravindra Agrawal are also shown in column no.10.

The learned Counsel for the acquiring body opposed the applications on the ground that the present applicant Omprakash Agrawal is only GPA holder of Ravindra. However, on perusal of the impugned judgments, it is evident that the Reference Court has relied upon compromise decree between Omprakash as well as Ravindra whereby they mutually agreed to have 50% share each in the enhanced amounts of compensation. Moreover, the office has also calculated share of Omprakash in the interest amount, as per column 8 of the aforesaid chart. Further, this Court had also allowed Omprakash to withdraw his respective share in the 75% of the deposited amounts.

As such, the applicant – Omprakash Shivilal

Agrawal, in all these applications, is permitted to withdraw the amounts of interest falling to his share as per the chart prepared by the Section Officer, PLA Branch along with the interest accrued thereon till date. The report of Registrar (J) along with the aforesaid chart is made part of this order.

Civil Applications are disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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