

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

**87 CIVIL APPLICATION NO.5542 OF 2023
IN FA/1875/2023 WITH CA/347/2021 IN FA/1875/2023**

**BAKATAWAR BASHUMIYA FAKIR
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABADAND ORS**

...

**Advocate for Applicant : Mr. L. C. Patil
AGP for Respondent-State: Mr. B. V. Virdhe
Advocate for Respondent No.3 : Mr. S. G. Bhalerao**

...

AND

**88 CIVIL APPLICATION NO.5544 OF 2023
IN FA/1877/2023 WITH CA/5543/2023 IN FA/1876/2023 WITH
CA/325/2021 IN FA/1876/2023 WITH CA/329/2021 IN
FA/1878/2023 WITH CA/327/2021 IN FA/1877/2023**

**DNYANDEV BHIVA NAVGIRE
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABADAND ORS**

...

**Advocate for Applicant : Mr. L. C. Patil
AGP for Respondent-State: Mr. S. S. Dande
Advocate for Respondent No.3 : Mr. S. G. Bhalerao**

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 24/04/2023.**

P. C. :

**A) ORDER IN CIVIL APPLICATIONS FOR WITHDRAWAL OF
AMOUNT :**

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.

3. The learned counsel for the acquiring body opposed the application on the ground that the reference court has granted exorbitant amount of compensation, which is beyond four times of the amount granted by SLAO.
4. In view of the same and considering the enhancement granted by the learned reference court, which is more than four times, the applicants are permitted to withdraw 75% of the deposited amounts of compensation alongwith the proportionate interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.
5. The remaining amounts be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.
6. The civil applications are accordingly disposed of.

B) ORDER IN CIVIL APPLICATIONS FOR STAY :

Since the appellant - acquiring body in all these applications has deposited the amounts as directed by this court, the applications are made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)