

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

**939 CIVIL APPLICATION NO.5795 OF 2023
IN FAST/22915/2020 WITH CA/8333/2020 IN
FAST/22915/2020 WITH CA/8334/2020 IN
FAST/22915/2020**

**AJIT SHRIDHAR SHINDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND ANOTHER**

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Mr. R.P. Aadgaonkar, Advocate for the applicant.
Mr. S.N. Kendre, A.G.P. for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 3rd May 2023.

ORDER:-

IN CIVIL APPLICATION NO. 5795 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the Acquiring Body alongwith the interest accrued thereon.
3. The learned A.G.P for the State Acquiring Body opposed the application on the ground that the Reference Court has granted exorbitant amount of compensation, which is five 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 applicant is permitted to withdraw 75% of the deposited amount 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 amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

IN CIVIL APPLICATION NO. 8333 OF 2020 :

1. The appellant – Acquiring Body is seeking condonation of delay of 887 days, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 887 days stands condoned.

2. The appeal be placed for admission after removal of office objections, if any.

3. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 8334 OF 2020 :

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

(SANDIPKUMAR C. MORE, J.)