

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

**22 CIVIL APPLICATION NO.17284 OF 2022
IN FAST/26806/2019**

**GANGADHAR TUKARAM GUNALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR
AND ANOTHER**

...
Advocate for Applicants : Mr.Nagargoje Ankush N.
AGP for Respondents – State : Mr. S. N. Kendre
Advocate for Respondent No.2 : Mr. S.W.Munde
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 02.01.2023

PER COURT :

Heard rival submissions. The applicants are seeking withdrawal of the entire deposited amount. The learned counsel for the Acquiring Body strongly opposed the application on the ground that the Reference Court has granted exorbitant amount of compensation without proper appreciation of the evidence on record.

2. On the contrary, the learned counsel for the applicants pointed out that the learned S.L.A.O. had granted meager amount by ignoring the N.A. potential of the acquired land and therefore, the Reference Court determined proper compensation.

3. Be that as it may, at this juncture, the applicants are allowed to withdraw 50% amount of the deposited amount along with the proportionate interest till date, at this juncture, by furnishing usual undertaking to the satisfaction Registrar (Judicial) of this Court. The remaining amount be invested in F.D.R. in any Nationalized bank on yearly renewal basis till disposal of this Appeal.

4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-