

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

913 CIVIL APPLICATION NO.6933 OF 2023
IN FA/633/2023 WITH CA/13301/2022 IN FA/633/2023

PRAKASH MAHADEO MULE
VERSUS
THE EX. ENGINEER, M.I. THR G.S.HOLKAR SUB DIV. WATER
CONSERVATION OFFICER, TULJAPUR AND ORS

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Advocate for Applicant : Mr. V. V. Ingale
AGP for Respondent Nos.2 & 3: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. S. S. Doke

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 21/06/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.6933 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 despite the direction of this court to deposit 50% amount of compensation.
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 beyond 20 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 20 times, the applicant is permitted to withdraw only 25% 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.

B) ORDER IN CIVIL APPLICATION NO.13301 OF 2022 :

1. The learned counsel Mr. Ingle causes appearance on behalf of respondent No.1.

2. Since the acquiring body has deposited entire amount of compensation, the application is made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)