

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

913 CIVIL APPLICATION NO.13910 OF 2022
IN FA/3769/2018

VASANT VISHWANATH DIGHE (DIED) THR LRS SATISH AND ORS
VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
AHMEDNAGAR AND ANOTHER

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Advocate for Applicants : Mr. D. R. Jayabhar

AGP for Respondent No.1: Mr. S. W. Mundhe

Advocate for Respondent No.2 : Mr. M. N. Navandar

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 05/01/2023.

P. C. :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of remaining 40% amount of compensation.
3. It is not in dispute that the applicants have already withdrawn 60% of the amount on usual undertaking. However, the learned counsel for the acquiring body strongly opposed the application on the ground that the acquisition of the land was for laying railway track and therefore, GR of four times of Maharashtra Government is not applicable in this matter. In the alternative, he submitted that if such withdrawal is allowed by this court, then it should be on furnishing bank guarantee of any nationalized bank. The learned counsel for the applicants submits that the applicants would arrange for such bank guarantee.
4. In view of the same, the applicants are permitted to withdraw the remaining 40% amount of compensation alongwith the interest

accrued thereon till date, on furnishing bank guarantee of any nationalized bank.

5. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)