

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

**929 CIVIL APPLICATION NO.735 OF 2023
IN FA/3891/2017**

**SUBASH SHANKARRAO KADAM (PATIL)
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND ANOTHER**

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Mr. V.V. Ingle, Advocate for the applicant.
Mr. A.B. Chate, A.G.P. for respondent-State

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. Heard rival submissions. The applicant is seeking permission to withdraw the remaining amount of compensation deposited by the State Acquiring Body in this Court. The learned A.G.P. strongly opposed the application on the ground that Reference Court has granted exorbitant compensation amount.

2. It is not disputed that 50% of the deposited amount has already been allowed to be withdrawn by the applicant. It appears that the Reference Court has granted nearly 5 times compensation more than the compensation granted by S.L.A.O. In view of the same, the applicant at this juncture is allowed to withdraw further amount of 25% of the deposited

amount alongwith the proportion interest accrued thereon, on furnishing solved surety / security to the satisfaction of Registrar (Judicial) of this Court, The remaining amount be invested in F.D.R. in any Nationalized Bank on yearly renewal basis, till final disposal of the appeal.

3. The application is accordingly disposed.

(SANDIPKUMAR C. MORE, J.)