

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.13840 OF 2022
IN FAST/15788/2020**

GOPINATH SHIVNATH KAWALE (DIED) THR LRS. RUPABAI
GOPINATH KAWALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
COLLECTOR, LATUR AND OTHERS

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Mr. B. M. Dhanure, Advocate for the Applicants.

Mr. P. M. Kulkarni, AGP for Respondents-State.

Ms. Ranjana D. Reddy, Advocate for Respondent No.3.

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 11th AUGUST, 2023.

PER COURT:-

1. By this application, the applicants/orig. claimants are seeking withdrawal of the compensation amount deposited by the acquiring body.

2. The learned Advocate appearing for the applicants submits that in other matters arising out of same group, this Court has permitted withdrawal of the amount.

3. Ms. Reddy, learned Advocate appearing for the respondent points out that 60% amount as directed by this Court has been deposited in compliance of the order passed on stay application.

4. Mr. Dhanure, learned Advocate appearing for the applicants submits that Reference Court has passed Award

considering the various sale deeds placed into service to demonstrate the market rate of the land. He submits that the applicants have lost the agricultural lands and facing financial difficulties. He submits that the applicants are ready to file usual undertaking.

5. Considering the submissions advanced and the fact that the 60% of the compensation amount is deposited in this Court, the applications deserve to be allowed in its entirety. Hence, the following order:-

ORDER

- a. Civil Application is allowed.
- b. The applicants are permitted to withdraw the amount deposited by the respondents/acquiring body alongwith accrued interest on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- c. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE