

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

986 CIVIL APPLICATION NO.11712 OF 2023
IN FA/834/2022 WITH CA/6152/2022 IN FA/834/2022

PANDARINATH DASHRATH CHAVAN AND ANR
VERSUS
EX. ENGINEER, NANDUR MADHMESHWAR CANAL DIV. VAIJAPUR UNDER
GMIDC, AURANGABAD AND ANR

...
Advocate for Applicants : Mr. S.S. Londhe
AGP for Respondent/State : Mr. K.N. Lokhande
Advocate for Respondent 1 : Mr. B.R. Surwase
...

CORAM : ARUN R. PEDNEKER, J.
DATED : 19/10/2023

PER COURT :

1. Present appeal is filed by the Acquiring Body.
2. Civil Application No. 11712/2023 is filed by the original claimants for withdrawal of amount. The learned counsel for the applicants has produced the order dated 4.8.2023 passed in Civil Application No. 9623/2023 in First Appeal No. 833/2022 with connected matters, arising out of the same acquisition, wherein this Court has permitted to withdraw 50% of the compensation amount deposited by the Acquiring Body subject to furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.
3. In view of the above order passed by this Court in identical matter, the applicants are permitted to withdraw 50% of the compensation amount deposited by the Acquiring Body as directed by the Reference Court, subject to furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court along with the accrued interest thereon till date.
4. Civil Application filed for withdrawal of amount is disposed of

accordingly.

5. The learned counsel for the original claimants submits that the amounts are not properly and correctly calculated by the Acquiring Body and he would file appropriate application in that regard. Permission is granted to the claimants to take necessary steps.

6. Since appellant acquiring body has deposited the amount of compensation as directed by this Court, the ad-interim stay granted earlier is confirmed. Stay application is disposed of.

7. Appeal is **admitted**.

8. On admission, Mr. S.S. Londhe, learned counsel waives service of notice for original claimants.

9. Call R. & P.

[ARUN R. PEDNEKER J.]

ssc/