

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

**CIVIL APPLICATION NO.1260 OF 2023 IN
FIRST APPEAL NO. 747 OF 2019
WITH
CIVIL APPLICATION NO. 1261 OF 2023 IN
FIRST APPEAL NO. 748 OF 2019
WITH
CIVIL APPLICATION NO. 1263 OF 2023 IN
FIRST APPEAL NO. 746 OF 2019**

Mr. R. P. Adgaonkar, advocate for the Applicants
Mr. A. B. Chate, AGP for Respondent No.1.
Mr. Ram B. Deshpande, advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 13th February, 2023.

PC :

Heard rival submissions.

The respective applicants, in all these applications, are seeking withdrawal of remaining 50% amounts of compensation along with interest accrued thereon.

The learned Counsel for the appellant-acquiring body has strongly opposed the applications on the ground that 50% of the compensation amounts are already withdrawn by the respective applicants. He pointed out that

the Reference Court has granted exorbitant compensation.

However, it appears that the Reference Court has granted 6.5 times compensation and, therefore, I am of the view that 20% of the entire amounts of compensation from the balance amounts of compensation can be allowed to be withdrawn by these applicants, at this juncture.

As such, the respective applicants are permitted to withdraw 20% of the total compensation amounts from the balance amounts of compensation along with proportionate interest accrued thereon, on furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amounts be invested in FDR, in any Nationalised Bank, on yearly renewal basis till final disposal of these appeals.

Civil Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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