

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

**CIVIL APPLICATION NO.16228 OF 2022 IN
FIRST APPEAL ST. NO. 33004 OF 2021**

Phakirrao s/o Karbhari Daunge

Applicant

Versus

The Executive Engineer,
Minor Irrigation Division No.1,
GMIDC, Aurangabad & another

Respondents

Mr. N. J. Pahune Patil, advocate for the Applicant
Mr. S. W. Munde, advocate for Respondent No.1.
Mr. B. V. Virdhe, AGP for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 20th February, 2023.

PC :

Heard rival submissions.

The applicant-claimant is seeking withdrawal of entire deposited amount of compensation along with the interest. In fact, it appears that the acquiring body has deposited only 75% of the compensation amount.

Though the learned Counsel for the acquiring body strongly opposed for such withdrawal, since exorbitant

amount in respect of compensation of trees is granted.

However, it seems that the Reference Court has granted the compensation twice of the compensation awarded by the S.L.A.O.. Therefore, the applicant is permitted to withdraw the entire deposited amount along with accrued interest thereon by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb