

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

**919 CIVIL APPLICATION NO.17222 OF 2022
IN FA/3237/2022**

**KALYAN BHAGWAT LOMATE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE DISTRICT
COLLECTOR AND OTHERS**

...

Mr. Shailendra S. Gangakhedkar, Advocate for the applicants.
Mr. B.V. Virdhe, A.G.P. for respondent No.1.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.01.2023

ORDER:-

1. Heard rival submissions. The applicants are seeking permission to withdraw the entire amount of compensation alongwith the interest as deposited by the State Acquiring Body, who has filed this appeal.

2. Learned A.G.P. strongly opposed the application on the ground that the learned Reference Court has granted exorbitant amount of compensation which is almost 9 times more than the amount granted by the Special Land Acquisition Officer.

3. In view of the above, the present applicants, at this juncture, are allowed to withdraw only 50% of the deposited

amount of compensation alongwith the proportionate accrued interest thereon till date, on furnishing usual undertaking to the satisfaction of the learned 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 this appeal.

4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)