

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

**CIVIL APPLICATION NO. 3864 OF 2021 IN
FIRST APPEAL NO. 225 OF 2023
WITH
CIVIL APPLICATION NO. 702 OF 2023 IN
FIRST APPEAL NO. 224 OF 2023
WITH
CIVIL APPLICATION NO. 703 OF 2003 IN
FIRST APPEAL NO. 224 OF 2023
WITH
CIVIL APPLICATION NO. 701 OF 2023 IN
FIRST APPEAL NO. 223 OF 2023
WITH
CIVIL APPLICATION NO. 714 OF 2023 IN
FIRST APPEAL NO. 225 OF 2023
WITH
CIVIL APPLICATION NO. 3027 OF 2023 IN
FIRST APPEAL NO. 223 OF 2023
WITH
CIVIL APPLICATION NO. 17119 OF 2022 IN
FIRST APPEAL NO. 223 OF 2023
WITH
CIVIL APPLICATION NO. 17081 OF 2022 IN
FIRST APPEAL NO. 225 OF 2023
WITH
CIVIL APPLICATION NO. 17080 OF 2022 IN
FIRST APPEAL NO. 224 OF 2023**

Mr. N. D. Kendre, Mr. S. V. Natu and Mr. R. V. Patil, advocate
for the respective Applicants
Mr. H. P. Kshirsagar, advocate for Respondent No.1.
Mr. R. B. Bagul, AGP for Respondents No.2 & 3.

**CORAM : SANDIPKUMAR C. MORE, J.
DATE : 28th March, 2023.**

PC :

Heard rival submissions.

The respective applicants, in all these applications, are seeking withdrawal of entire amounts of compensation which have been deposited by the appellant-acquiring body. It is not disputed that each one of the all applicants is having 1/6th share in the aforesaid amounts of compensation.

The learned Counsel for the acquiring body has strongly opposed the applications on the ground that the Reference Court has granted exorbitant compensation, which is more than four times than the compensation awarded by the SLAO.

It appears that the Reference Court has granted nearly five times' compensation than the compensation awarded by the SLAO and, therefore, the respective applicants, in these applications, are permitted to withdraw 75% of the deposited amounts of compensation along with proportionate interest accrued thereon by 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. It is made clear that each of the applicants is permitted to withdraw his/her 1/6th share from the aforesaid amounts along with the proportionate interest.

Civil Applications are disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb