

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

**930 CIVIL APPLICATION NO. 338 OF 2023
IN FA/1529/2016**

**YADA MAHADA KAPSE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
BEED AND ANOTHER**

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Mr. Sushant B. Choudhari, Advocate for the applicants.
Mr. B.V. Virdhe, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 25.01.2023.

ORDER:-

1. Heard rival submissions. The applicants are seeking transmission of the compensation amount to concerned Reference Court i.e. Civil Judge (Senior Division), Beed in LAR No. 391 of 2010 and also for its withdrawal. The learned A.G.P. strongly opposed the application on the ground that exorbitant amount of compensation is granted by the Reference Court.

2. It appears that in all other connected matters the amounts therein are in fact deposited in the Reference Court only. As such, the amount of compensation in this application be transmitted to the Court of learned Civil Judge (Senior Division), Beed in LAR No. 391 of 2010. Further, the

applicants are allowed to withdraw 75% of the said amount i.e. 50% on usual undertaking and 25% alongwith the accrued interest thereon on furnishing solvent surety / security to the satisfaction of the learned Reference Court. The remaining amount be invested in F.D.R. in any Nationalized Bank by the Reference Court on yearly renewal basis, till final disposal of this appeal.

3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)