

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

**917 CIVIL APPLICATION NO.653 OF 2023
IN FA/1877/2021**

**ASARAM DATTATRAY NIKAM AND OTHERS
VERSUS
THE EXE. ENGINEER, MINOR IRRIGATION DIV. NO.1,
G.M.I.D.C., SINCHAN BHAVAN, AURANGABAD AND ANR**

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Mr. N.J. Pahune Patil, Advocate for the applicants.

Mr. R.R. Imle, Advocate for respondent No.1.

Mrs. G.L. Deshpande, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 17th March 2023.

ORDER:-

1. Leave to correct the spelling of the first name of applicant No.6 and middle name of all the applicants.
2. Heard rival submissions.
3. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
4. The learned Counsel for the Acquiring Body strongly opposed the application on the ground that the Reference Court has granted exorbitant amount of compensation, which is nearly six times of the amount granted by Special Land Acquisition Officer.

5. It is significant to note that the Acquiring Body has deposited only 80% of the impugned award. In view of the same and considering the enhancement granted by the learned Reference Court, which is nearly six times, the applicants are permitted to withdraw the entire deposited amount compensation alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

6. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)