

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

**926 CIVIL APPLICATION NO.689 OF 2023  
IN FA/3601/2018**

**NANDKUMAR BHIMRAO HAKE  
VERSUS  
EXECUTIVE ENGINEER, OSMANABAD MINOR IRRIGATION  
G.M.I.D.C.,AURANGABAD AND OTHERS**

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Mr. D.S. Mali, Advocate holding for Mrs. S.L. Puri,  
Advocate for the applicant.

Mr. A.M. Phule, Advocate for the Acquiring Body.

Mr. B.V. Virdhe, A.G.P. for State.

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**CORAM : SANDIPKUMAR C. MORE, J.**

**DATED : 08.02.2023.**

**ORDER:-**

1. Heard rival submissions. The applicant is seeking withdrawal of the entire compensation amount alongwith interest accrued thereon. However, the application itself indicates that the appeal filed by Acquiring Body was partly allowed and the interest amount under Sections 28 and 34 of the Land Acquisition Act was granted from the date of award instead of date of notification. The learned Counsel for the Acquiring Body submits that the withdrawal of amount as claimed by the applicant should be as per the order dated 06.10.2022. Further, it appears that though this Court has passed the aforesaid order, but permission to withdraw the

amount was not granted. In view of the same, the applicant is allowed to withdraw the compensation amount as per the order dated 06.10.2022 alongwith interest accrued thereon till date. The remaining amount, if any, be refunded back to the Acquiring Body alongwith the accrued interest thereon till date.

2. The application is accordingly disposed of.

**(SANDIPKUMAR C. MORE, J.)**