

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

932 CIVIL APPLICATION NO.9096 OF 2023
IN FAST/40653/2019 WITH CA/947/2020 IN
FAST/40653/2019 WITH CA/948/2020 IN FAST/40653/2019

PANDURANG MARUTI GOPANE AND ANOTHER
VERSUS
DEPUTY ENGINEER, (NIRMAN) C.R. SOLAPUR AND OTHERS

...

Mr. P.B. Rakhunde, Advocate for the applicants.
Mr. M.N. Navandar, Advocate for respondent No.1.
Mr. S.P. Tripathi, A.G.P. for respondent Nos.2 and 3.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 26.07.2023.

ORDER:-

IN CIVIL APPLICATION NO. 9096 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the Acquiring Body alongwith the interest accrued thereon.
3. The learned counsel for the respondent Acquiring Body opposed the application on the ground that the Reference Court has granted exorbitant amount of compensation and that the land under acquisition was in fact dry land. He pointed out that the G.R. of four times is not applicable in this matter.
4. In view of the same and considering the enhancement granted by the learned Reference Court, the applicants are permitted to withdraw 75% of the deposited amount of compensation alongwith the proportionate interest accrued

thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

IN CIVIL APPLICATION NO. 947 OF 2020 :

1. The appellant – Acquiring Body is seeking condonation of delay of 1828 days, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 1828 days stands condoned.

2. The appeal be placed for admission after removal of office objections, if any.

3. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 948 OF 2020 :

. Since the appellant Acquiring Body has deposited entire amount of compensation as directed by this Court, the application is made absolute in terms of prayer clause (B) and disposed of.

(SANDIPKUMAR C. MORE, J.)