

HEMANT
CHANDERSEN
SHIV

Digitally signed
by HEMANT
CHANDERSEN
SHIV

Date:
2023.11.02
05:34:30
+0530

1/2

46.ia2323.23.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2323 OF 2023
IN
FIRST APPEAL NO.1188 OF 2016**

Balaram Nana Thakur (Decd)
Through LRs Krishna B. Thakur & Ors. ...Applicants

In the matter between

The State of Maharashtra ...Appellant
vs.

Balaram Nana Thakur (Decd)
Through LRs Krishna B. Thakur & Ors. ...Respondents

Mr. Aniket Ranade for the Applicants.
Mr. Shreepad Murthy i/b Pinky Bhansali for Respondent No.1.
Ms. Tanya Goswami for Respondent-State

CORAM : NITIN B. SURYAWANSHI, J.

DATED : 27TH OCTOBER 2023

P. C. :

1. By this application, Applicant-claimant seeks to withdraw amount of compensation deposited by Respondent-original Appellant. Total compensation of Rs.6,60,50,014/- is awarded which is deposited by Respondent-Appellant in the Reference Court. Applicant-claimant has already withdrawn 50% of the said amount. According to Applicant-

claimant, on amount of Rs.6,60,50,014/-, interest of Rs.2,00,00,000/- (Rupees Two crores) has accrued.

2. Application is opposed by learned Advocate for Respondent-Appellant.

3. In view of above facts, application is partly allowed. Applicant-claimant is permitted to withdraw amount of Rs.1,00,00,000/- (Rupees one crore) towards interest by furnishing bank guarantee.

4. Application is disposed of.

[NITIN B. SURYAWANSHI, J.]