



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

**CIVIL APPLICATION NO. 326 OF 2022
IN FA/3317/2018**

SHIVKANTABAI VISHNU SAVAI

VERSUS

THE REGIONAL OFFICER, M.I.D.C. LATUR AND ANOTHER

...

Mr. Ganesh L. Kedar, Advocate for Applicant

Mr. R.B. Dhaware, AGP for Respondent No.2

Mr. S.S. Dande, Advocate for Respondent No.1

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 16th DECEMBER, 2024

PER COURT :

1. Heard.

2. This application is filed seeking withdrawal of compensation amount deposited by the acquiring body.

3. Learned advocate Mr. S. S. Dande appearing for the acquiring body strenuously opposed the application stating that in connected group of matters arising out of same acquisition, the Division Bench of this Court reduced the compensation amount from Rs.14,000/- to Rs.1,040/- and the matters are now pending before the Apex Court for consideration. He, therefore, prays that the application may be rejected.

4. Considering the fact that acquisition has taken place in the year 1990 and the reference Court has enhanced the

compensation in the year 2016 and considering the amount of compensation i.e. Rs.1,42,895/-, this Court is inclined to allow the application.

5. In the result, the application is allowed. Applicant is permitted to withdraw 50% amount of compensation along with proportionate interest accrued thereon, on furnishing undertaking and 50% amount of compensation along with proportionate interest accrued thereon, on furnishing solvent surety/security, to the satisfaction of the Registrar (Judicial) of this Court.

(NITIN B. SURYAWANSHI, J.)