



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

**CIVIL APPLICATION NO. 1467 OF 2024
IN FA/1869/2019**

KISAN SHAMRAO MANE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, OSMANABAD
AND OTHERS

...

Mr. Vivekanand V. Ingale, Advocate for Applicant
Mr. B.B. Bhise, AGP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 21th JUNE, 2024

PER COURT :

1. It is not in dispute that in connected matter Civil Application No.11845/2022 in First Appeal No.459/2021, this Court by order dated 04/07/2023 has permitted claimants to withdraw remaining amount of compensation. Claimant in present matter has already withdrawn 60% amount.

2. Learned AGP opposed the application contending that reference Court has granted enhancement of compensation more than 11 times, which is under challenge in first appeal. Therefore, claimants may not be permitted to withdraw the remaining 40% amount.

3. In view of the order dated 04/07/2023 passed in connected matters, application is allowed. Applicant is permitted to withdraw the remaining 40% amount along with the accrued interest, on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

(NITIN B. SURYAWANSHI, J.)