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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

8 CIVIL APPLICATION NO. 14574 OF 2023
IN FA/1014/2022

WITH

CIVIL APPLICATION NO. 14575 OF 2023
IN FA/1016/2022

WITH

CIVIL APPLICATION NO. 2472 OF 2024
IN FA/1017/2022

WITH

CIVIL APPLICATION NO. 2474 OF 2024
IN FA/1015/2022

SAYASRAO VITHAL MUNDHE

....Applicant

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND ORS

.....Respondent

Mr. L. C. Patil, Advocate for the applicants
Mr. R. R. Tandale, AGP for the respondents/State
Mr. C. T. Jadhav, Advocate for respondent

CORAM : S. G. MEHARE, J.

DATE : 08th MARCH, 2024

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1. Heard the learned counsel for the parties.

2. Learned counsel for the applicant would submit that the order passed by this court in another appeals is on different facts. In the case in hand there were houses and fruit trees in the field. The award is passed mechanically like cut and paste. Learned reference court has granted interest from the date of possession. The respondents have deposited money calculating interest from the date of award though reference court allowed the interest on the date of possession. Therefore, view of this earlier order may be considered.

3. In view of above, following order is passed:-

ORDER

- i] Applications are partly allowed.
- ii] Applicants are allowed to withdraw 75% of the total amount of compensation alongwith interest thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

[S. G. MEHARE, J.]