



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

**CIVIL APPLICATION NO. 5683 OF 2024
IN FA/756/2019**

RAJARAM BHIMRAO JADHAV AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR OSMANABAD
AND OTHERS

...

Mr. Jayant R. Patil, Advocate for Applicant

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 21th JUNE, 2024

PER COURT :

1. Heard.
2. Claimants have filed this application for withdrawal of compensation amount of Rs.84,09,318/- deposited by the acquiring body.
3. Learned AGP strenuously opposed the application contending that reference Court has enhancement the compensation by 11 times which is impugned in present first appeal. Learned advocate for claimants has relied on the order dated 07/03/2017 passed by this Court in Civil Application No.2896/2017 in First Appeal No.1564/2015, which is arising out of same acquisition and common judgment, wherein acquiring body has deposited 50% of the amount which was permitted to be withdrawn by claimants on furnishing undertaking.

4. In view of the above, civil application is partly allowed. Claimants are permitted to withdraw 50% of the amount deposited by acquiring body along with the interest accrued thereon, on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

5. The amount is permitted to be withdrawn in terms of prayer clause 'C'.

(NITIN B. SURYAWANSHI, J.)