



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

937 CIVIL APPLICATION NO. 11581 OF 2024
IN FA/342/2021
WITH
CIVIL APPLICATION NO. 2995 OF 2021
IN FA/342/2021

ASHOK HANMANT MULE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT
COLLECTOR, OSMANABAD AND ORS

...
Advocate for Applicant : Mr. Patil Laxmikant C.
AGP for Respondents/State : Mr. S.N.Kendre
Advocate for Respondent No. 3 : Mr. M.N.Kalyane h/f Mr. Vinod
Prakash Patil and Mr. Gulab Rajale
...

CORAM : KISHORE C. SANT, J.

DATE : 24.10.2024.

PER COURT :

WITHDRAWAL

1. Heard the parties. This application is filed for withdrawal of the amount of compensation alongwith interest deposited by the Acquiring Body in the office of this Court. Learned Advocate Mr. L.C. Patil for the applicant submits that

the learned Reference Court has enhanced the amount only to 4.5 times of the rate granted by the learned SLAO. He submits that the amount deposited in this Court is deposited by calculating interest under Section 28 only from the date of award. Considering the above this Court finds that the following order will meet the ends of justice :

ORDER

- (i) The Civil Application stands allowed.
- (ii) The applicant is permitted to withdraw 80% of the amount with accrued interest deposited in the office of Court by the Acquiring Body on furnishing usual undertaking.
- (iii) Remaining 20% amount with accrued interest, deposited, is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar,(Judicial) of this Court.
- (iv) The Civil Application stands disposed off.

STAY

1. Since the entire amount is deposited alongwith

interest by the Acquiring Body in the office of this Court, there shall be stay to the execution and operation of the impugned judgment and award till disposal of the appeal.

2. The Civil Application stands disposed off.

(KISHORE C. SANT)
JUDGE

mahajansb/