



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

974 CIVIL APPLICATION NO. 8425 OF 2024
IN FA/1477/2021

Babu Namdeo Bobade

VERSUS

The State Of Maharashtra Through Collector, Osmanabad And
Ors

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Advocate for Applicant : Ms. Lakshmi Thakur h/f Mr. L.C. Patil

AGP for Respondents: Mr. V S Badakh

Mr. R.A. Tambe, advocate for respondent no.3.

CORAM : S. G. CHAPALGAONKAR, J.

Dated : August 13, 2024

PER COURT :-

1. Heard Ms Thakur h/f Mr. Patil, learned counsel appearing for applicant and Mr. Tambe, learned counsel appearing for respondent Acquiring Body.

2. Learned counsel appearing for the applicant points out that in connected first appeals out of same award, Sawargaon Storage Tank CR-15, this Court has permitted withdrawal of 75% amount deposited by acquiring body.

3. She has placed on record the order dated 28.6.2024 passed in CA No.5676 of 2024 in FA No.1485/2021 in support of her contentions.

4. Mr. Tambe, learned advocate appearing for the acquiring body do not dispute aforesaid position. However, submits that, exponential compensation has been awarded by the Reference

Court. Even, interest is awarded from the date of possession and not from the date of award.

5. Considering the submissions advanced and the view taken by this Court in connected matters, application deserves to be allowed. The applicant is permitted to withdraw 75% of amount deposited by the acquiring body alongwith accrued interest thereon subject to furnishing of usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance amount be invested in fixed deposit in any Nationalized Bank. Civil application stands disposed off.

(S. G. CHAPALGAONKAR, J.)

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