



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

CIVIL APPLICATION NO. 6697 OF 2024

IN FA/2624/2021

BALBHIM RAM MORE DIED THR LRS. USHA BALBHIM MORE AND ORS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR, OSMANABAD AND ORS

CIVIL APPLICATION NO. 6699 OF 2024

IN FA/2626/2021

NAGNATH VITHOBA KALE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR, OSMANABAD AND
ORS**

Ms.L.R. Thakur h/f. Mr. L.C. Patil, Advocate for the applicants.

Mr.A.M. Phule,AGP for the respondent/State.

Mr.R.A. Tambe, Advocate for respondent No.3.

CORAM : KISHORE C. SANT, J.

DATED : 11.07.2024

PC :-

01. Both these applications are filed for withdrawal of the amount deposited by the acquiring body-appellant in this Court. The learned Advocate has produced on record copy of order dated 20.06.2024 passed in Civil Application No. 5572 of 2024, wherein this Court had allowed the applicant therein to withdraw entire amount deposited in this Court on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

02. The learned Advocate for the acquiring body opposed the application stating that in this case interest under section 28 of the Land Acquisition Act is also granted. When the amount is deposited, most of the

part of the said amount is towards interest of seven years out of which interest for six years is @ 15% p.a.

03. Considering the above, the applicants are permitted to withdraw 60% of the amount of compensation as per award, out of the amount deposited in this Court, on furnishing usual undertaking that in-case the appeals are allowed, the applicants shall re-deposit the amount in this Court along with interest within 12 weeks from the date of such order.

04. The civil applications are accordingly allowed and are disposed off.

[KISHORE C. SANT, J.]