



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

16 CIVIL APPLICATION NO. 10312 OF 2024
IN FAST/5685/2021

SHAMRAO KRISHNA VEWAHARE DIED THR. LRS KRUSHNATH S/O
DHANAJI VEWAHARE AND ANR

VERSUS

THE EX. ENGINEER, IRRIGATION PROJ. STREN. (MAJBUTIKARAN)
DIVN. OMERGA AND ORS

...

Advocate for Applicant : Mr. Sanjay A. Wakure.

Advocate for Respondent : Mr. Madhav N. Kalyane, h/f Mr. Gulab B. Rajale.

...

AND

CIVIL APPLICATION NO. 7436 OF 2021
IN FAST/5685/2021

AND

CIVIL APPLICATION NO. 7437 OF 2021
IN FAST/5685/2021

...

CORAM : **KISHORE C. SANT, J.**

DATE : 09th December, 2024.

P.C.:

. Heard the learned counsel for the parties.

Application for withdrawal of amount:

2 This application is for withdrawal of the amount deposited by the
appellant/acquiring body in the office of this Court.

3 The learned counsel for the applicants relied on the order of this
Court dated 13th August, 2021 passed in Civil Application No.7036 of
2021, by which this Court had allowed the applicants therein to
withdraw 75% of the amount on condition.

4 This application is opposed by the learned counsel for the acquiring body. He submits that the Reference Court has enhanced the amount of compensation by 10 to 12 times, which is quite exorbitant. He submits that the interest of the appellant needs to be protected. If the amount is withdrawn, it would be difficult to recover the said amount. Considering the above, the following order is passed:-

ORDER

- I. The applicants are permitted to withdraw 75% of the amount alongwith accrued interest deposited in this Court on furnishing usual undertaking. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[KISHORE C. SANT, J.]

nga