



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO. 11987 OF 2023
IN FA/3917/2019

ANNAPURNA KASHIRAYA NAVTAKE DEID THR LRS SHARNAPPA
KASHIRAYA NAVTAKE AND OTHERS

VERSUS

THE G.M.I.D.C., THR THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD AND OTHERS

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Advocate for Applicants : Mr. Ajeet B. Kale
AGP for Respondents – State : Mr. D. B. Bhange
Advocate for Respondent no.1 : Mr. A. M. Gaikwad

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 05.04.2024

PER COURT :

1. Heard rival submissions.
2. The applicants, in this application, are seeking withdrawal of entire amounts of compensation which have been deposited by the acquiring body pursuant to the impugned award.
3. The learned counsel for the acquiring body strongly opposed the application on the ground that the Reference Court has awarded exorbitant amount of compensation. However, the learned Counsel for the applicants pointed out that the SLAO had in fact granted meager amount of compensation and the Reference Court,

thereafter, considering the contemporary sale instances of higher rate, has enhanced the compensation.

4. In view of the same, the applicants herein are permitted to withdraw 75% of the deposited amounts along with accrued interest thereon till date in this matter on furnishing usual undertaking to the satisfaction of the Registrar (J) of this Court. The remaining amount be invested in FDR in any Nationalised Bank till final disposal of this appeal.

5. Civil Application is accordingly disposed of.

(Y. G. KHOBRAGADE, J.)

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