



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

**44 CIVIL APPLICATION NO. 3243 OF 2024
IN FA/3237/2022**

KALYAN BHAGWAT LOMATE AND ANR

....Applicants

VERSUS

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

.....Respondents

.....

Advocate for Applicants : Mr. Shailendra S Gangakhedkar
AGP for Respondent/State: Mr. Rajdeep D. Raut

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 03 FEBRUARY , 2025**

ORDER

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire balance amount of compensation.
3. The learned counsel for the applicants submits that though the applicants have already withdrawn 50% of the compensation amount, but since they are suffering ill health they need further withdrawal.
4. The learned A.G.P. pointed out that the learned Reference Court has granted enhancement of eight times as that of granted by the Land Acquisition Officer.

5. Thus, it appears that the applicants have already withdrawn four times compensation. However considering the ill health of the applicants, they are permitted to withdraw 50% of the remaining balance amount of compensation along with the accrued proportionate interest thereon by furnishing surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

6. The remaining amount be invested in FDR in any Nationalized Bank on yearly renewal basis during pendency of this application.

6. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

Y.S. Kulkarni