

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

19 CIVIL APPLICATION NO. 3962 OF 2025
IN FA/3145/2017

Gulchand Pandharinath Mule

Versus

The State of Maharashtra,
Through The Collector, Osmanabad And Ors

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Shri. Laxmikant C. Patil, Advocate for the Applicant
Shri. D. J. Patil, AGP for the Respondent / State.
Shri. Mukul S. Kulkarni, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 7, 2025

PER COURT :-

. This is the Application by the Original Claimant / Respondent in the Appeal for withdrawal of the entire amount deposited by the Acquiring Body along with the interest accrued thereon.

2. It is submitted by the learned Advocate for the Applicant / Claimant that meager rate of Rs.25,000/- per acre has been enhanced by the learned Reference Court and therefore, the Application be allowed.

3. The Application is opposed by the learned AGP and the learned Advocate for the Acquiring Body.

4. The learned Advocate for the Acquiring Body submits that the learned Reference Court has granted rental compensation from the date

of taking possession which was before the issuance of Section 4 Notification and also awarded interest from the date of taking possession. He submits that the Application be rejected.

4. After hearing both the sides and considering the above submissions, it would be appropriate to allow the Applicant to withdraw 75% amount from the amount deposited by the Acquiring Body, along with interest accrued thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court, and remaining 25% amount along with interest accrued thereon be invested in a Fixed Deposit Receipt (FDR) in any Nationalized Bank and the FDR be renewed from time to time till disposal of the Appeal. Application stands disposed off accordingly.

(NEERAJ P. DHOTE, J.)