



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO. 3762 OF 2024 IN
FIRST APPEAL NO.454 OF 2021

The Executive Engineer, Lower Painganga Project and anr.

..vs..

Smt. Laxmikanta Vitthal Todase and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

IN FA454/2021.

Shri Nikhil Waghmare, Advocate for the appellant.

Shri N.M. Kamble, Advocate h/f Shri D.R. Bhoyar, Advocate for
respondent nos. 1 to 4.

CORAM: SANDIPKUMAR C. MORE, J.

DATE : 23/01/2025.

Heard rival submissions.

2. The respondents/Original Claimants have filed this application for withdrawal of entire amount of compensation deposited by the appellants/Acquiring Body.

3. However, the learned Counsel for the Acquiring Body objected for such withdrawal. According to him, only 50% of the deposited amount of compensation, can be allowed to be withdrawn.

4. It seems that considering the rate of enhancement by the learned Reference Court, this Court had permitted the appellant/Acquiring Body to deposit only 75% of the compensation amount, which appears to be four times of the compensation granted by the Land Acquisition Officer.

5. In view of the same, the respondents/Original Claimants are permitted to withdraw the entire

deposited amount of compensation, which is 75% of the total compensation, on usual undertaking to the satisfaction of the Registrar (Judicial) of this Court along with the interest accrued thereon till date.

6. The Civil application is accordingly disposed of.

7. At the request of the learned Counsel for the appellant/Acquiring Body, eight weeks time is granted for filing a private paper book.

(SANDIPKUMAR C. MORE, J.)

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