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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.6930/2015

IN

FIRST APPEAL NO.1805/2013

WITH

C.A.6931/2015 IN F.A.1806/2013;

C.A.6932/2015 IN F.A.1804/2013

C.A.6933/2015 IN F.A.1803/2013 &

C.A.6934/2015 IN F.A.1798/2013

Shivraj Naggapa Swamy & others.

...Applicants..

Versus

The Deputy Chief Engineer,
Central Railway Construction
Division, Pune & another.

...Respondents...

.....

Shri S.V. Gundre, Advocate for applicants.

Shri Manish N. Nawandar, Advocate respondent no.1.

Shri P.P. More, AGP for respondent no.2.

.....

CORAM: N.W. SAMBRE, J.

DATE: 07.07.2015

ORDER :

1] Heard learned counsel for the parties.

2] The learned Reference Court has awarded compensation at the rate of Rs.1,000/- per Aare as is reflected from the observations made in paragraph no.19.

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3] The Reference Court ignored the sale instance, which was brought on record by the claimants i.e. Exhibit 23.

4] The observations made in paragraph nos.26 and 29 reflect that for reaching to a conclusion for awarding compensation at Rs.1,000/- per Aare, there was no evidence.

5] In view of above, it will be appropriate in my opinion to permit the present applicants to withdraw the amount to the extent of 50% of the amount awarded by the Land Acquisition Officer.

6] The applicants are permitted to withdraw 50% of the amount awarded by the Land Acquisition Officer. Civil applications stand disposed of accordingly.

(N.W. SAMBRE, J.)