

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

CIVIL APPLICATION NO.6904 OF 2015
IN
FIRST APPEAL ST.NO.17279 OF 2014

Vinod Dattatraya Patil through
G.P.A. Holder Vivek Dattatraya Patil .. Applicant

Versus

The State of Maharashtra and ors. ..Respondents

- WITH -

CIVIL APPLICATION NO.6902 OF 2015
IN
FIRST APPEAL ST.NO.17285 OF 2014

Ganesh Shankarrao Patil
died, through L.Rs. Dattatraya
Ganesh Patil through G.P.A. Holder
Vivek Dattatraya Patil ..Applicant

Versus

The State of Maharashtra and ors. ..Respondents

- WITH -

CIVIL APPLICATION NO.6903 OF 2015
IN
FIRST APPEAL ST.NO.17282 OF 2014

Vivek Dattatraya Patil ..Applicant

Versus

The State of Maharashtra and ors. ..Respondents

Mr D.P. Palodkar, Advocate for applicants
Mr G.R. Ingole, A.G.P. for respondents

CORAM : N.W. SAMBRE, J.

DATE : 29th June 2015

PER COURT

Heard learned A.G.P. for the non-applicants on the applications for withdrawal of amount.

2. In the present case, Section 4 notification was issued on 2nd November 1972 and Special Land Acquisition Officer awarded Rs.10/- per R against which the reference Court awarded Rs.115/- per R.

3. While opposing the withdrawal of amount, the learned A.G.P. would urge that the reference Court has granted 15 fold increase in the compensation under the award.

4. The perusal of the order, particularly paragraph 16 of the award delivered by the reference Court reflects that the sale instances Exhibits 49, 50 and 51 of year 1972, 1974, particularly of dry land were taken into account and as such, the reference Court granted compensation at the rate of Rs.115/- per R.

5. So far as the applications in question are concerned, the same involve seasonal dry crop. In the fitness of the things, it will be appropriate to permit the applicants to withdraw the amount at the rate of Rs.100/- per R along with interest with an undertaking that in case the appeals of the State are allowed, the amount withdrawn, shall be deposited by the applicants in this Court with interest accrued thereon within four weeks from the date of disposal of appeals.

6. The balance amount which is deposited in the present case after withdrawal shall be deposited in fix deposit initially for a period of three years.

7. Civil Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

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