

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

CIVIL APPLICATION NO.9105 OF 2015
IN
FIRST APPEAL NO.1557 OF 2015

Shivprasad Nandkishore Parikh ..Applicant

Versus

Godavari Marathwada Irrigation
Development Corporation through
its Executive Engineer,
Latur Minor Irrigation Division, Latur
and ors. ..Respondents

- with -

CIVIL APPLICATION NO.9106 OF 2015
IN
FIRST APPEAL NO.1558 OF 2015

Kamal Nandkishor Parikh ..Applicant

Versus

Godavari Marathwada Irrigation
Development Corporation through
its Executive Engineer,
Latur Minor Irrigation Division, Latur
and ors. ..Respondents

Mr M.L. Dharashive, Advocate for applicants
Mr S.G. Sangle, Advocate for respondent No.1

CORAM : N.W. SAMBRE, J.

DATE : 5th August 2015

PER COURT

Heard.

2. Learned Counsel for the applicants/claimants submits that they may be permitted to withdraw 100% amount. According to him, the income from the land in question was the only source for earning bread and butter for the claimants.

3. The applications are opposed by learned Counsel for the respondents, as according to him, there are hardly any considerations for the enhancement granted by the reference Court.

4. The fact as regards the reference Court has allowed 100% amount of compensation is not in dispute.

5. In view of above, in my opinion, it will be appropriate to allow the claimants to withdraw 50% of the amount of compensation and balance 25% of the amount upon an undertaking and remaining 25% upon furnishing indemnity to the satisfaction of the Registrar of this Court.

6. Civil Applications are allowed in above terms.

(N.W. SAMBRE, J.)

vvr