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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15211 OF 2015
IN FA/621/2015

LAHANU ANANDA THELARI
VERSUS
THE EXECUTIVE ENGINEER MPD DHULE AND ANOTHER

WITH
CIVIL APPLICATION NO.15212 OF 2015 IN FA/616/2015
CIVIL APPLICATION NO.15213 OF 2015 IN FA/624/2015
CIVIL APPLICATION NO.15214 OF 2015 IN FA/625/2015
CIVIL APPLICATION NO.15215 OF 2015 IN FA/618/2015
CIVIL APPLICATION NO.15216 OF 2015 IN FA/623/2015
CIVIL APPLICATION NO.15217 OF 2015 IN FA/642/2015
CIVIL APPLICATION NO.15218 OF 2015 IN FA/614/2015
CIVIL APPLICATION NO.15219 OF 2015 IN FA/622/2015
CIVIL APPLICATION NO.15220 OF 2015 IN FA/620/2015

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Advocate for Applicants : Mr. V.D. Gunale.
Advocate for Respondent No.1 : Mr.A.D. Pawar.
AGP for Respondent No.2 : Mr. B.V. Virdhe.

CORAM : A.M. BADAR, J.

DATE : 24.11.2015

ORDER :

1] These applications are filed by the original claimants for withdrawal of amount deposited by the State in pursuant to the judgment and order of learned reference Court enhancing the amount of compensation.

2] Heard Shri Gunale, the learned counsel appearing

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for applicants / original claimants and the learned counsel appearing for the State as well as acquiring authority. Perused the impugned judgment and award. Though compensation of Rs. 42,500/- per hectare was enhanced to Rs.4,00,000/- per hectare for irrigated land, Rs.3,00,000/- per hectare for seasonally irrigated land and Rs.2,00,000/- per hectare for non irrigated land under acquisition, it appears that this Court has upheld the enhancement in some other appeals. The learned counsel for acquiring authorities submits that, the lands covered under those appeals were small pieces of land and that observation is there in the judgment of this Court while disposing of those appeals.

3] Considering the controversy involved in the present appeals and for securing ends of justice following order :-

A] Applicants in respective applications are permitted to withdraw the 50% amount under the Award on submitting personal undertaking that in the event of allowing the appeals, they shall redeposit the entire amount withdrawn by them within one month.

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B] Applicants in respective applications are permitted to withdraw the 25% amount under the Award on furnishing solvency surety.

C] Remaining 25% amount under the award shall be kept in fixed deposit initially for a period of one month.

4. Civil Applications accordingly stand disposed of.

[A.M. BADAR]
JUDGE.