

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

CIVIL APPLICATION NO.320 OF 2015
IN
FIRST APPEAL ST.NO.34507 OF 2014

The State of Maharashtra
through The Collector, Latur
and ors. ..Applicants

Versus

Babu s/o Vitthal Tore
and anr. ..Respondents

- WITH -

CIVIL APPLICATION NO.322 OF 2015
IN
FIRST APPEAL ST.NO.34640 OF 2014

The State of Maharashtra
through The Collector, Latur
and ors. ..Applicants

Versus

Laxman Sadashiv Shinde ..Respondent

- WITH -

CIVIL APPLICATION NO.324 OF 2015
IN
FIRST APPEAL ST.NO.34631 OF 2014

The State of Maharashtra
through The Collector, Latur
and ors. ..Applicants

Versus

Kamlakar Tukaram Shrangare
and anr. ..Respondents

- WITH -

CIVIL APPLICATION NO.326 OF 2015
IN
FIRST APPEAL ST.NO.34634 OF 2014

The State of Maharashtra
through The Collector, Latur
and ors.

..Applicants

Versus

Sharif Abbas Sayyed and anr.

..Respondents

- WITH -

CIVIL APPLICATION NO.329 OF 2015
IN
FIRST APPEAL ST.NO.34637 OF 2014

The State of Maharashtra
through The Collector, Latur
and ors.

..Applicants

Versus

Janardhan Digambar Sontakke
died through L.Rs. Sukumarbai
and ors.

..Respondents

- WITH -

CIVIL APPLICATION NO.331 OF 2015
IN
FIRST APPEAL ST.NO.34628 OF 2014

The State of Maharashtra
through The Collector, Latur
and ors.

..Applicants

Versus

Udhav Venkati Sontakke
Mali and ors.

..Respondents

Mr P.P. More, A.G.P. for applicants
Mrs P.G. Sontakke, Advocate for respondents

CORAM : N.W. SAMBRE, J.

DATE : 29th June 2015

PER COURT

1. In view of admission of first appeals and having regard to the fact that the Land Acquisition Officer has granted Rs.910/- per R whereas reference Court awarded Rs.2055/- per R, based on Exh.19 sale deed dated 16th August 2001, and that the claimants land is located four k.m. away from the land of which sale instance in evidence is brought on record and in absence of relativity of same with land under acquisition, in my opinion, it will be appropriate to stay the judgment under challenge.

2. In view thereof, Civil Applications stand allowed in terms of prayer clause (B) subject to the appellant herein depositing 75% of the amount awarded under the award by the reference Court. The amount shall be deposited in this Court within a period of sixteen weeks from today.

3. At this stage, learned Counsel for the claimants makes a prayer to permit the claimants to withdraw the amount. Same shall be considered upon claimants filing application to that effect before this Court, after deposit of the amount by appellant. The deposit of amount shall be condition precedent for stay to the award in question.

4. Civil Applications allowed in above terms.

(N.W. SAMBRE, J.)

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