

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

922 CIVIL APPLICATION NO. 1064 OF 2016  
IN FA/197/2014 WITH FA/199/2014 WITH CA/1065/2016  
IN FA/204/2014 WITH CA/1066/2016 IN FA/198/2014  
WITH CA/1067/2016 IN FA/203/2014 WITH CA/1071/2016  
IN FA/200/2014 WITH CA/1073/2016 IN FA/201/2014

Chandrakant S/o. Dharma Chikate  
And Others.

**.. Applicants.**

**Versus**

The Chief Engineer (Construction)  
Central Railway, Mumbai  
And Others.

**.. Respondents.**

-----

Shri. S.S. Halkude, Advocate, for applicants.

Shri. D.V. Soman Advocate, for respondent No.1.

Shri. K.N. Lokhande, Assistant Government Pleader, for  
respondent Nos.2 and 3.

-----

**CORAM: T.V. NALAWADE, J.**

**DATE : 29<sup>th</sup> JANUARY 2016**

**ORDER:**

1) The applications are filed for permission to withdraw the amount deposited by the acquiring body. Heard both the sides. Seen the judgment and award. It appear that sale instances in respect of Non Agricultural

lands are considered. It appears that the claimants claimed that their lands had N.A. potentiality in view of its distance from Latur city.

2) In view of the reasoning given and the different between the rate given by the Land Acquisition Officer of Rs.2380 per R and the rate given by the Reference Court of Rs.6,500/- per R, this Court holds that 75% of the amount can be released subject to giving undertaking by the applicant.

3) In the result, the applications are allowed. The claimants are allowed to withdraw 75% of the amount of compensation along with statutory benefits subject to furnishing undertaking by the claimants of deposit of the amount with the same rate of interest if the acquiring body succeeds.

Sd/-  
**(T.V. NALAWADE, J. )**

rs1