

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

**CIVIL APPLICATION NO. 4646 OF 2016
IN
FIRST APPEAL STAMP NO. 18194 OF 2015**

Baliram Sampati Sonkamble

...APPLICANT

versus

The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur

...RESPONDENTS

....
WITH

**CIVIL APPLICATION NO. 4647 OF 2016
IN
FIRST APPEAL STAMP NO. 24272 OF 2015**

Jilani Nabi Jamadar

...APPLICANT

versus

The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur

...RESPONDENTS

...
WITH

**CIVIL APPLICATION NO. 4648 OF 2016
IN
FIRST APPEAL STAMP NO. 24325 OF 2015**

Dadamiya Mohamad Mulla

...APPLICANT

versus

The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur

...RESPONDENTS

WITH

**CIVIL APPLICATION NO. 4649 OF 2016
IN
FIRST APPEAL STAMP NO. 18189 OF 2015**

Baburao Govind Surywanshi ...APPLICANT

versus

The Regional Officer,
Maharashtra Industrial Development
Corporation Latur ...RESPONDENTS

WITH

**CIVIL APPLICATION NO. 4754 OF 2016
IN
FIRST APPEAL STAMP NO. 18198 OF 2015**

Ram Gyanba Birajdar Since deceased
died by L.Rs.
Smt. Godabai Ram Birajdar and ors. ...APPLICANTS

versus

The Regional Officer,
Maharashtra Industrial Development
Corporation Latur ...RESPONDENTS

...

WITH

**CIVIL APPLICATION NO. 4959 OF 2016
IN
FIRST APPEAL NO. 1328 OF 2016**

Nanarao Govindrao Suryawanshi ...APPLICANT

versus

The Regional Officer,
Maharashtra Industrial Development
Corporation Latur ...RESPONDENTS

.....
Mr. A.R. Joshi, Advocate for applicants
Mr. S.S. Dande, Advocate for respondent
.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 15th APRIL, 2016.

Order :-

1. These are the civil applications for withdrawal of the amount.
2. We have heard the learned counsel for the applicants.
3. Learned counsel for the applicants submits that pursuant to award passed by the Reference Court and the order passed by this Court, respondent-acquiring body has deposited the amount and the applicants be allowed to withdraw the same.
3. Mr. Dande, learned counsel submits that enhancement compensation granted by the Reference Court is too exorbitant and the applicants may not be allowed to withdraw the amount.
4. We have considered the submissions. Perused the award passed by the Reference Court. The Special Land Acquisition Officer had awarded compensation at the rate of Rs. 25,000/- (Rupees Twenty Five thousand) per hectare, however, the Reference Court has enhanced the compensation amount to Rs.10,00,000/- (Rupees Ten Lakhs) per hectare. Considering the enhancement granted, it will be necessary to safeguard the amount also, in case the appeals are allowed.
5. Considering above, we pass the following order:-

- (a) The applicants are allowed to withdraw 25% of the amount deposited on furnishing undertaking to this court that in the event the appeals are allowed, they would deposit the amount within one month from the date decision in appeal.
- (b) The applicants are further allowed to withdraw 25% of the amount deposited on furnishing solvent security/surety of the like amount.
- (c) The applicants are further allowed to withdraw 25% of the amount deposited on furnishing bank guarantee of scheduled bank of the like amount.
- (d) Remaining 25% of the amount deposited be kept in fixed deposit of any Nationalized Bank.

6. Civil applications are disposed of accordingly.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

MTK