

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5510 OF 2016
IN FA/1724/2016

BABU KRUSHNA ARALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants Mr. Patil Laxmikant C.
AGP for Respondents: Mr. S.R. Yadav
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CORAM : V. K. JADHAV, J.
DATED : 5th MAY, 2016

PER COURT:-

1. Heard both sides.
2. Learned A.G.P. submits that the Reference Court has considered the sale instance of the year 1993 though Section 4 notification is of the year 1988. Learned A.G.P. submits that in that way, the Reference Court has awarded exorbitant amount of compensation.
3. Learned counsel for the applicants submits that the Reference Court has awarded just and reasonable compensation and even though the sale instance is considered and reference court has carried out deduction of 10%.

4. In view of above submissions, the following order would meet the ends of justice:-

- I) The applicants are permitted to withdraw 50% of the amount on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court and 25% of the amount on furnishing solvent surety to the satisfaction of Registrar (Judicial) of this Court.
- II) The remaining 25% amount shall be kept in fixed deposit in any Nationalized Bank, initially for a period of three years and fixed deposit shall be renewed thereafter from time to time, till disposal of appeal.
- III) Civil application is disposed of.

(V. K. JADHAV, J.)

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