

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9610 OF 2016
IN
CIVIL APPLICATION NO.4649 OF 2016
IN
FIRST APPEAL STAMP NO. 18189 OF 2015

Baburao Govind Suryawanshi .. **Applicant**
Versus

The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur and another .. **Respondents**

WITH
CIVIL APPLICATION NO. 9611 OF 2016
IN
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 and another .. **Respondents**

WITH
CIVIL APPLICATION NO. 9612 OF 2016
IN
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 and another .. **Respondents**

WITH
CIVIL APPLICATION NO. 9613 OF 2016
IN
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 and another

.. **Respondents**

WITH
CIVIL APPLICATION NO. 9616 OF 2016
IN
CIVIL APPLICATION NO. 4754 OF 2016
IN
FIRST APPEAL STAMP NO. 18198 OF 2015

Ram Gyanba Birajdar since died by L.Rs.,
Godabai Ram Birajdar and others

.. **Applicants**

Versus

The Regional Officer,
Maharashtra Industrial Development
Corporation, Latur and another

.. **Respondents**

WITH
CIVIL APPLICATION NO. 9618 OF 2016
IN
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 and another

.. **Respondents**

Shri Arvind Ramakant Joshi, Advocate for Applicants.
Shri S. S. Dande, Advocate for Respondent No. 1.
Smt. A. V. Gondhalekar , A. G. P. for Respondent No. 2.

CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.
DATE : 08TH JULY, 2016.

PER COURT :-

1. Mr. Joshi, the learned counsel seeks modification of the order passed by this court on 15.04.2016 on the ground that the Apex Court in some other matters in respect of the similarly situated claimants had allowed withdrawal on beneficial terms.
2. While passing the order on 15.04.2016 we had considered the extent of enhancement granted by the Reference Court. The Special Land Acquisition Officer had awarded compensation at the rate of Rs. 25,000/- per hector and the Reference Court had enhanced compensation amount to Rs. 10,00,000/- per hector. Considering the exorbitant enhancement granted by the Reference Court we have allowed the applicants to withdraw 25% of the amount deposited on furnishing undertaking. Another 25% of the amount on furnishing solvent security. Further, we have also allowed withdrawal of 25% of the amount on furnishing bank guarantee and remaining 25% we had directed to be kept in fixed deposit of any nationalized bank. The order was passed to safeguard the amount also in case the appeals are allowed.
3. Considering the above we are not inclined to entertain the civil applications. The civil applications are disposed of.
4. At this stage Mr. Joshi, the learned counsel submits that, the applicants be allowed to withdraw 25% of the amount that was allowed to be withdrawn by furnishing the solvent security, by

furnishing the bank guarantee. The learned counsel for the Respondent does not have any objection to that extent.

5. In light of the above, at the request of applicants the order dated 15.04.2016 is modified to the extent that 25% of the amount allowed to be withdrawn by furnishing solvent security is allowed to be withdrawn on furnishing bank guarantee.

6. The Civil Applications are accordingly disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

sam/July.16