

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, Court's orders or directions and Registrar's orders.	Notes, of Coram, Court's orders or Registrar's orders.	Court's or Judge's orders.
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CIVIL APPLICATION NO. 398 OF 2016

IN FA/1552/2014 WITH CA/399/2016 IN FA/219/2012 WITH CA/400/2016 IN FA/193/2012 WITH CA/401/2016 IN FA/223/2012 WITH CA/402/2016 IN FA/213/2012 WITH CA/406/2016 IN FA/1551/2014 WITH CA/407/2016 IN FA/200/2012 WITH CA/408/2016 IN FA/205/2012 WITH CA/409/2016 IN FA/199/2012 WITH CA/410/2016 IN FA/211/2012 WITH CA/411/2016 IN FA/225/2012 WITH CA/412/2016 IN FA/203/2012 WITH CA/413/2016 IN FA/195/2012 WITH CA/416/2016 IN FA/207/2012 WITH CA/417/2016 IN FA/226/2012 WITH CA/418/2016 IN FA/208/2012 WITH CA/419/2016 IN FA/218/2012 WITH CA/420/2016 IN FA/204/2012 WITH CA/421/2016 IN FA/201/2012 WITH CA/422/2016 IN FA/214/2012 WITH CA/424/2016 IN FA/212/2012 WITH CA/425/2016 IN FA/608/2013 WITH CA/426/2016 IN FA/197/2012 WITH CA/427/2016 IN FA/217/2012 WITH CA/429/2016 IN FA/196/2012 WITH CA/430/2016 IN FA/194/2012 WITH CA/431/2016 IN FA/206/2012 WITH CA/432/2016 IN FA/210/2012 WITH CA/434/2016 IN FA/221/2012 WITH CA/435/2016 IN FA/220/2012 WITH CA/437/2016 IN FA/198/2012 WITH CA/438/2016 IN FA/202/2012 WITH CA/439/2016 IN FA/215/2012 WITH CA/440/2016 IN FA/209/2012 WITH CA/441/2016 IN FA/224/2012 WITH CA/2414/2011 IN FA/1551/2014

VENKAT MADHAVRAO GHUME (DIED) LRS RAJKUMAR
VENKATRAO GHUME AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Vijay G. Sakolkar .
AGP for Respondent No.1 : Mr. K. N. Lokhande.
Advocate for Respondent No.2 : Smt. Geeta L. Deshpande.

CORAM: T. V. NALAWADE, J.
DATED: 18th JANUARY, 2016.

PER COURT:

1. All civil applications are filed for permission to withdraw the amount. Heard both the sides.
2. The learned counsel for the acquiring body has strong objection for allowing the application contending that the sale instance for irrigated land only is considered by the Reference Court and the other sale instances for non-irrigated lands are not considered. Another point was argued that the lands of the owners were from village Sangamwadi when the sale instance of Shelgaon is considered.
3. It was project for village Sangamwadi Shelgaon and it can be said that the lands of the claimants were from the same village from where the sale instance was produced. The highest sale instance needs to be considered and the sale instance of 12th July, 2000 is considered when the notification under section 4 of the Land Acquisition Act was published on 18th July, 2002. Though it was irrigated land, it cannot be said that it was

not comparable sale instance. In view of the aforesaid circumstances, 10% increase is given for one year by Reference Court and accordingly market price is calculated. In view of this circumstance, this Court holds that the applications can be allowed.

4. Permission is granted to withdraw the amount to the extent of 75% of the amount subject to giving undertaking for depositing the amount if the appellant succeeds. The remaining 25% amount is to be given after giving solvent surety in respect of that amount. In those terms the applications are allowed and disposed of.

(T. V. NALAWADE, J.)

Dt.18/01/2016.
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