

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.F. NO.1276/2016

IN

FIRST APPEAL STAMP NO.14933/2015

Vidarbha Irrigation Development Corporation, through its Executive Engineer, Purna
Medium Project Division, Achalpur

..Vs..

Narayan Wasudeo Band and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri J.B. Kasat, Adv. for the appellant.
Shri D.P. Dapurkar, Adv. for respondent No.1.
Shri M.A. Kadu, A.G.P. for respondent Nos.2 and 3.

CORAM : Z.A.HAQ, J.

DATED : 29.8.2016.

The Land Acquisition Officer had granted compensation at the rate of Rs.74,000/- per hector for 39 R land. Relying on the award passed in Land Acquisition Case No.29/2005 in respect of agricultural land situated at Mouja Kajali (different village), the Reference Court has determined the compensation at the rate of Rs.3,42,667/- per hector. The learned Advocate for the appellant has stated that the award passed in Land Acquisition Case No.29/2005 is challenged before this Court in appeal which is pending.

Considering the facts of the case, specially that the respondent No.1 - claimant has not stated that he is rendered landless after acquisition of 39 R land and as there is no independent evidence on record to substantiate the

claim, the claimant - respondent No.1 is permitted to withdraw 40% of the amount on furnishing solvent surety/security to the satisfaction of Registrar (J.) of this Court. The balance amount be kept in fixed deposit in nationalized bank. The civil application is **allowed** in the above terms. No costs.

JUDGE

Tambaskar.

CERTIFICATE

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order”.

Uploaded By : N.V. Tambaskar.
Personal Assistant.

Uploaded On : 30.8.2016.