

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

CIVIL APPLICATION (CAF) NO.3199 OF 2014

IN

FIRST APPEAL ST. NO.1222 OF 2013

(M.I.D.C., AMRAVATI....VS..KISAN GANGARAM GHULE THR. LRS & OTH.)

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

Court's or Judge's orders

Shri Deep Agnihotri, adv. h/f. Shri M.M.Agnihotri, Advocate for
Appellant.

Shri Vinay Dahat, Advocate for Respondent Nos.1 to 4.

Ms A.R.Kulkarni, A.G.P. for Respondent Nos.5 & 6.

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 30, 2016.

The claimants have filed this application seeking modification of the order passed by this Court on 9th April, 2014 by which the claimants were permitted to withdraw 75% of the amount deposited by the appellant on furnishing surety. It is the case of the claimants that they are not in a position to furnish surety as directed by this Court.

The learned advocate for the claimants have submitted that the appellant has settled the matters with other land owners whose lands were also acquired for the same project, by working out the amount of compensation @ Rs.2,25,000/- per hectare inclusive of the statutory benefits. The learned advocate for the appellant has not disputed this aspect.

The claimant has already received Rs.1,87,200/- as compensation as per the award passed by the Land Acquisition Officer. Considering the fact that the appellant

has settled the matter with other land owners by working out compensation @ Rs.2,25,000/- per hectare inclusive of statutory benefits, the respondent Nos.1, 3 and 4 are permitted to withdraw Rs.80,000/- each unconditionally. The respondent No.2 is reported to be dead.

The balance amount be continued in fixed deposit in the nationalized bank till disposal of the appeal.

The civil application is allowed in the above terms.

JUDGE

RRaut..

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

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