

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 CIVIL APPLICATION NO. 7254 OF 2017
IN FAST/28554/2015 WITH CA/12619/2015 IN FAST/28571/2015 WITH
CA/12620/2015 IN FAST/28571/2015 WITH CA/12621/2015 IN
FAST/28554/2015 WITH CA/12622/2015 IN FAST/28554/2015 WITH
CA/7255/2017 IN FAST/28571/2015

SHIVAJI SADASHIV CHAVAN
VERSUS
THE EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION,
OSMANABAD (UNDER GMIDC, AURANGABAD)

...
Advocate for Applicant : Mr. Wakure Sanjay A.
AGP for Respondent-State/authority: Mr. P.G. Borade
Advocate for Respondent No.1 : Mr. D.B. Pawar
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CORAM : V. K. JADHAV, J.
DATED : 23rd JUNE, 2017

PER COURT:-

1. Heard both sides.
2. Learned counsel for the applicant submits that in reference petitions arise out of the same acquisition proceedings, the reference court has awarded compensation at the rate of Rs.9000/- per R. The lands acquired are situated adjacent to the State Highway.
3. Learned counsel for the respondent acquiring body submits that the S.L.A.O. has awarded compensation @ Rs.200/- per R and even though the applicant original claimant has claimed compensation @ Rs.1750/- per R, the reference Court has awarded

the compensation at the enhanced rate of Rs.5000/- per R. Learned counsel submits that the applicants may be permitted to withdraw the amount on furnishing Bank guarantee to the extent of 75%.

4. In view of the above submissions and for the reasons stated in the civil application, the applicants herein are permitted to withdraw 75% amount out of the amount deposited in this Court on certain conditions i.e. 25% of the amount on furnishing undertaking, 25% on furnishing solvent surety, both to the satisfaction of Registrar (Judicial) of this Court, and remaining 25% of the amount on furnishing Bank guarantee. The remaining 25% amount shall be invested, in fixed deposit, in any Nationalized Bank initially for a period of three years and fixed deposits be renewed thereafter from time to time till disposal of first appeal.

(V. K. JADHAV, J.)

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