

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO. 11472 OF 2016
IN FA/1332/2016

JAYSHREE BALBHIM GURAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

with
16 CIVIL APPLICATION NO. 11411 OF 2016
IN FA/1333/2016

with
17 CIVIL APPLICATION NO. 11446 OF 2016
IN FA/1334/2016

...
Advocate for Applicant : Kale Ajeet B.
AGP for Respondents: B.V. Virde
...

CORAM : V.K. JADHAV, J.
DATE : 20-01-2017.

P.C. :

. Heard.

2. The reference Court has awarded enhanced compensation considering the judgment passed in L.A.R. No. 299/2011 wherein the rate in respect of acquired land is awarded as Rs. 24,975/- per Are. L.A.R. No. 299/2011 arises out of the same Section 4 notification which is also matter of consideration in the instant First Appeal. It is pointed out that in an appeal challenging the judgment and order passed in L.A.R. No. 299/2011, this Court has permitted withdrawal of 75% amount out of the total amount deposited by the acquiring body in this Court.

3. Considering the order passed in Civil Application No.7320 of 2014 (in First Appeal No. 562 of 2014), dated 1st August 2014, the following order is passed:

(a) The applicants are permitted to withdraw 25% amount deposited on furnishing personal undertaking to this Court that in case applicants are directed to refund the amount, they will refund amount within one month.

(b) The applicants are allowed to withdraw further 25% of the total amount deposited by furnishing solvent surety of the like amount.

(c) The applicants are permitted to withdraw further 25% amount on submitting a bank guarantee of the like amount of any nationalized or scheduled bank.

(d) The remaining 25% amount be kept in fixed deposit of any nationalized bank.

4. The Civil Applications stand disposed of in the above terms.

(V.K. JADHAV)
JUDGE

mub