

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

993 CIVIL APPLICATION NO. 8202 OF 2017
IN FAST/13458/2013 WITH CA/12215/2013 IN FAST/13458/2013 WITH
CA/12217/2013 IN FAST/13439/2013 WITH CA/12219/2013 IN
FAST/13455/2013 WITH CA/8204/2017 IN FAST/13455/2013 WITH
CA/8205/2017 IN FAST/13439/2013

RAOSAHEB KESHAV CHAVHAN (DIED) THR LRS SUMANBAI AND
OTHERS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, JALNA
THR ASST. ENGINEER, AND

...
Advocate for Applicants : Mr. Salunke Sudarshan J
Advocate for Respondent No.1 : Mr. S.C. Arora
AGP for Respondent No.2: Mr. P.G. Borade

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CORAM : V. K. JADHAV, J.
DATED : 23rd JUNE, 2017

PER COURT:-

1. Heard both sides.
2. Learned counsel for the applicants submits that the reference court has awarded meager amount of compensation at enhanced rate. Learned counsel for the respondent acquiring body has strongly resisted the application on the ground that the reference court has enhanced the compensation three times as against the compensation awarded by the S.L.A.O.
3. In view of above submissions and considering that the respondent acquiring body has deposited only 50% of the amount out of

the amount awarded by the reference Court, the applicants herein are permitted to withdraw entire amount deposited, on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court. It may be noted here that on 3.11.2016 the Government has issued a Government Resolution thereby taking a policy decision that if the compensation is enhanced less than four times from rural area, then the Government/acquiring body should not file appeals and the pending appeals may also be withdrawn. Civil applications for withdrawal of amount are accordingly disposed of.

4. In so far as civil applications of condonation of delay are concerned, heard both sides. Learned counsel appearing for the respondents-original claimants has not seriously objected the applications seeking condonation of delay. In view of above and for the reasons stated in the civil applications, delay caused in filing appeals is hereby condoned. Civil applications are disposed of accordingly.

5. In first appeals, notice to the respondents, returnable on 4.8.2017. Learned counsel waives notice for respondents-original claimants and learned A.G.P. waives notice of respondent State and authority. Call for record and proceedings.

(V. K. JADHAV, J.)