

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

924 CIVIL APPLICATION NO. 15319 OF 2017
IN FA/291/2013

RAJENDRA AMBADAS ARGADE AND ORS
VERSUS

THE EXECUTIVE ENGINEER, JALNA MINOR IRRIGATION
DIVISION, JALNA UNDER G.M.I.D.C, AURANGABAD AND ORS.

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Advocate for Applicants : Mr. Bhapkar S.B.
Mr. B. R. Surwase For R/1

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925 CIVIL APPLICATION NO. 15320 OF 2017
IN FA/522/2013 WITH CA/4424/2012 IN FA/522/2013

YELLUBAI TAYAPPA SHEWALE
VERSUS

THE EXECUTIVE ENGINEER, JALNA MINOR IRRIGATION
DIVISION, JALNA UNDER G.M.I.D.C. AURANGABAD AND ORS.

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Advocate for Applicant : Bhapkar S.B.
Mr. B. R. Surwase For R/1

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926 CIVIL APPLICATION NO. 15321 OF 2017
IN FA/292/2013

RAMBHAU DHONDIBA WAGHMARE
VERSUS

THE EXECUTIVE ENGINEER, JALNA MINOR IRRIGATION
DIVISION, JALNA UNDER G.M.I.D.C. AURANGABAD AND ORS.

...

Advocate for Applicant : Bhapkar S.B.
Mr.B. R. Surwase For R/1

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CORAM : K.L.WADANE, J.

DATED : 20th December, 2017

O R D E R :

Heard both sides. Learned counsel for the

parties submit that at the time of presentation of appeal the acquiring body has deposited 25 per cent amount of compensation and that amount has already been withdrawn by the respective claimants.

2. Now, as per the order of this Court, remaining 75 per cent amount of compensation along with accrued interest is deposited in this Court.

3. Learned counsel appearing for the acquiring body opposes the applications on the ground that the amount of compensation granted towards fruit bearing trees is exorbitant and excessive than the evidence on record.

4. In view of above, I am of the opinion that the applicants can be permitted to withdraw 75 per cent amount of compensation deposited in this Court without any condition. The applicants are also permitted to withdraw remaining 25 per cent of the amount on furnishing bank guarantee to the satisfaction of the Registrar of this Court.

5. Civil Applications are disposed of.

(K.L.WADANE, J.)

dbm