

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION (ST.)NO. 11151 OF 2017
IN
REJECTED CASE NO. 840 OF 2017**

Dilip Nandlal Kukreja ...Applicant

IN THE MATTER BETWEEN

The State of Maharashtra ...Appellant
Through the Sp. Land Acquisition Officer

Versus

Dilip Nandlal Kukreja ...Respondent

WITH

**CIVIL APPLICATION NO. 2735 OF 2017
IN
FIRST APPEAL NO. 948 OF 2015**

Dilip Nandlal Kukreja ...Applicant

IN THE MATTER BETWEEN

The State of Maharashtra ...Appellant
Through the Sp. Land Acquisition Officer

Versus

Dilip Nandlal Kukreja ...Respondent

.....

Mr.Drupad S. Patil for the Applicant.
Mr.Yogesh Dabke, AGP for the Original Appellant in FA No. 948 of 2015.

CORAM: MRS.MRIDULA BHATKAR, J.

DATED: SEPTEMBER 12, 2017

P.C. :

1. Civil Application (St.) No. 11151 of 2017 is moved for restoration of the cross objection.
2. Learned counsel for the applicant submits that the cross objection was dismissed for non removal of office objection. He further submits that the applicant is ready to remove the office objection.
3. In view of the above submission, the application for restoration of the cross objection is allowed. Learned counsel for the applicant is directed to remove the office objection within a period of two weeks from today.
4. Civil Application is allowed and disposed of. Hence, First Appeal is admitted.

CIVIL APPLICATION NO. 2735 OF 2017

5. This appeal is filed against the judgment and award dated 16.05.2014 passed by the learned Civil Judge, Senior Division, Alibag in Land Acquisition Reference No. 1447 of 2000 (old L.A.R. No. 33 of 2000), thereby partly allowing the said Land Acquisition Reference.

6. By order dated 31.03.2016, it appears that the appellant-State has deposited an amount of Rs. 10,18,454/- alongwith interest accrued thereon.
7. Learned counsel for the applicant submits that till today the applicant has not received any amount and hence, it is to be given to him.
8. In view of the above, the applicant is allowed to withdraw an amount of Rs. 5 Lakhs on furnishing usual personal undertaking before the Civil Judge, Senior Division, Raigad at Alibag. The remaining amount shall be deposited in a fixed deposit with any nationalised Bank till the hearing of the cross objection and the appeal.
9. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)