

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3252 OF 2018
IN FAST/2339/2016

MOHAN BALWANTRAO PATIL DEAD THR LRS
RATANBAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Mr. L.C. Patil, Advocate for applicants
Mr. S.P. Deshmukh, AGP for respondent-State
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 06-04-2018

ORDER :

1. Heard learned counsel for appearing parties.
2. This is an application for withdrawal of the compensation amount deposited in this court by acquiring body, who is appellant taking exception to the award of the reference court.
3. About 2 Hectare of land of applicants has been acquired way back in 1994 and since then, the applicants have not received any amount beyond the amount awarded by special land acquisition officer. Applicants submits that their source of income has been taken away with the acquisition of land. They are in dire need of the compensation amount.

4. Learned counsel for respondents, however, purports to resist, submitting that the compensation enhanced, has been rather too high.

5. In the circumstances, looking at that land of applicants has been acquired in 1994 and since then beyond amount under award by special land acquisition officer, no amount is paid to applicants, it would be expedient to allow applicants to withdraw 50% of the amount with interest accrued thereon, on furnishing undertaking by them that the amount so withdrawn would be paid back / re-deposited by them in this court within a period of three months from date of decision in the appeal, if the same goes against the applicants. Undertaking to be filed within a period of three weeks from today.

6. 50% of the amount with interest accrued thereon may be allowed to be withdrawn by applicants, on furnishing solvent security to the satisfaction of the Registrar (Judicial) of this Court.

7. Civil application accordingly is disposed of.

[SUNIL P. DESHMUKH]
JUDGE

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