

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

CIVIL APPLICATION NO. 3870 OF 2018
IN
FIRST APPEAL NO. 276 OF 2016

Shahurao Bapurao Rajbinde

.. Applicant

versus

The Executive Engineer,
Lower Dudhna Project, Sailu
and another

.. Respondents

—

Ma Asha D. Rakh, Advocate for applicant

Mr. S. C. Arora, Advocate for respondent no.1

Mr. B.V. Virdhe, Asstt. Government Pleader for Respondent no.2

CORAM : SUNIL P. DESHMUKH, J.
DATE : 13th April, 2018

ORDER :

1. Heard learned counsel for applicant, original claimant, learned counsel for respondent no.1 – acquiring body and learned Assistant Government Pleader for respondent no. 2 – State.

2. There is no dispute over that the first appeal filed by acquiring body against award by land acquisition reference court have been withdrawn before *Lok Adalat*. Initially the claimants are stated to have been allowed to withdraw seventy five per cent of the amount deposited on furnishing undertaking and rest of the amount is invested in fixed deposit receipts till decision in the first appeal.

3. In view of aforesaid, while there is no dispute that first appeal has been withdrawn before *Lok Adalat*, it would be expedient to allow applicant to withdraw remaining amount deposited by acquiring body in this court in respect of land acquisition reference award passed for compensation towards acquisition of land of applicant.

4. Having regard to above, applicant is at liberty to withdraw balance amount of compensation lying deposited in this court with interest accrued thereon.

5. Civil application is disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd