

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

919 CIVIL APPLICATION NO. 5114 OF 2018
IN FA/3625/2017

FARHAN AHMED DESHMUKH @ ABDUL FARHAN ABDUL RAZAK
VERSUS
THE EX. ENGINEER, LOWER DUDHANA PROJECT DIV. SAILU THR JALNA
IRRIGATION DIV. JALN

Advocate for Applicant : Mr. Arun H. Koralkar
Advocate for Respondent No. 1 : Mr. R.C. Patil
AGP for Respondent No. 2: Mr. A.M. Phule

WITH CA/4714/2018 IN FA/3723/2017
WITH CA/4715/2018 IN FA/3626/2017
WITH CA/4717/2018 IN FA/3649/2017
WITH CA/4718/2018 IN FA/3635/2017

CORAM : K.K. SONAWANE, J.

DATED : 12th JUNE, 2018.

Order :-

1. Heard learned counsel for appearing parties.
2. Learned counsel for applicant submits that the Land Acquisition Officer has granted Rs. 900/- per R to the land under acquisition of the claimants. The Reference Court awarded enhanced compensation amount to the tune of Rs. 2500/- per R. In view of Government Resolution dated 3rd November, 2016, the amount enhanced by the Reference Court would not be more than four times granted by the SLAO, therefore, he prayed to allow the applicants to withdraw 50% of the amount on furnishing undertaking and 25% of the amount on furnishing solvent surety.
3. In view of the nature of the subject-matter and Government Resolution dated 3rd November, 2018, there is no impediment to allow the applicants/claimants to withdraw some

part of the compensation amount deposited in this Court.

4. Accordingly, the application is partly allowed. The applicants are allowed to withdraw 50% of the amount deposited in this Court on furnishing undertaking to the effect that in case adverse situation arises, they would refund the amount within stipulated period, as per directions of this court. Rest of 25% from the balance amount be allowed to be withdrawn on furnishing solvent surety of like amount to the satisfaction of Registrar (Judicial) of this Court and rest of the 25% amount be invest in the FDR Account in any nationalized Bank for two years or till final disposal of the appeal, whichever is earlier.

5. The civil applications stand disposed of accordingly.

[K. K. SONAWANE]
JUDGE

MTK.