

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

911 CIVIL APPLICATION NO. 8496 OF 2018
IN FA/3917/2016

VITTHAL TULSHIRAM AVCHAR
VERSUS
EX. ENGINEER, NIMNA DHUDHANA PROJECT SELU AND ORS

...
Advocate for Applicant : Mr. Kumar Gaurav M. More
Adv. for Respondents: Mr. R.C. Patil.

...

CORAM : V.L. ACHLIYA,J.

DATED : 7th August , 2018.

Order :-

1. The learned counsel for applicant submits that out of the compensation awarded, the amount to the extent of 75% has already been withdrawn and the present application is filed to withdraw the balance amount of 25%. He submits that the enhanced amount awarded by the Reference Court is less than 4 times the amount awarded by the SLAO and, therefore, the applicants are entitled to withdraw the balance amount in view of the guidelines issued by the State Government to the Acquiring Body.

2. In my view, the application moved by the applicant is based upon mis-conception about the Government Resolution dated 3rd November, 2016. The Government Resolution dated 3rd November, 2016 is in the nature of administrative instructions issued to the Government officials in respect of filing the appeal against the award passed by the Reference Court as well as settlement of cases. By no stretch of imagination such Government Resolution can provide any right to the claimants to make such an application. Therefore, the application is rejected.

**[V.L. ACHLIYA]
JUDGE**

grt.