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IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

BENCH AT AURANGABAD

CIVIL APPLICATION NO.15336 OF 2017 IN
FIRST APPEAL NO.2185 OF 2016

Chandabai Vijaykumar Kabra & ors. ... APPLICANTS

VERSUS

The Maharashtra Industrial Development
Corporation & ors. ... RESPONDENTS

.....

Shri V.B. Jadhav, Advocate for applicants

Shri S.S. Dande, Advocate for respondent No.1

Smt. S.E. madne (Narwade), Advocate for R.No.3(a) to 3(c) & 4

Shri Y.G. Gujarathi, A.G.P. for State

.....

CORAM: T.V. NALAWADE AND
 SUNIL K. KOTWAL, JJ.

DATED : 22nd MARCH, 2018.

ORAL ORDER :

1. This Civil Application is filed for permission to withdraw the compensation amount deposited by the appellant in this Court. Both the sides are heard.

2. Even after considering the probable entitlement of the original applicant from Land Reference Case, on the basis of record, this Court granted permission to withdraw 50% of the amount of compensation deposited by the acquiring body. It is

the grievance of the present applicants that, the present respondents No.2 to 5 virtually cheated them and they did not give a single paise of the amount of compensation collected from this Court. On that ground, relief of releasing remaining amount is claimed by the present applicants. Such relief cannot be granted. If the respondents have done some mischief, the applicants need to take steps against them. Releasing of remaining amount will amount to giving 100% amount to the original applicants and in future, that will create complications, and it will be difficult for the acquiring body to recover that amount.

3. In the result, the Civil Application is rejected.

(SUNIL K. KOTWAL)
JUDGE

(T.V. NALAWADE)
JUDGE

fmp/