

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.2508 OF 2019
IN
WRIT PETITION NO. 7551 OF 2017

BALIRAM RAJARAM KARPE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. S.N. Rodge, Advocate for applicants
Mr. Y.G. Gujrathi, AGP for respondent-State
Mr. P.S. Paranjape, Advocate for petitioner in WP
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 08-03-2019

ORDER :

1. Learned counsel for applicants and learned counsel for respondents no. 3 to 5, on instructions, agree upon that from the amount deposited towards land acquisition compensation of Rs. 24,51,890/-, after deduction of compensation with respect to 18 *Are* land, the balance payable amount to be shared would be Rs. 21,74,330/-.

2. It is being referred to that, from the sum of Rs. 21,74,330/-, the share of present applicants would be to the tune of Rs. 14,49,553/-. Present applicants have already withdrawn a sum of Rs.5,00,000/- from the same.

3. In the remaining amount of their share, they (the applicants) would be entitled to Rs. 4,74,766/- each and balance of Rs.10,02,336/- would go to present respondents no. 3 to 5. As such, the applicants would be entitled to further sum of Rs. 9,49,553/- and respondents would be entitled to sum of Rs. 10,02,336/-.

4. In the circumstances, civil application is allowed, letting the applicants to withdraw further sum of Rs. 9,49,553/-, substituting the figure of Rs.7,52,945/- in prayer clause (B). Such an amendment be carried by present applicants in prayer clause (B). As such, civil application is allowed in terms of amended prayer clause (B) and is disposed of.

5. Respondents, accordingly, would be able to withdraw amount of their share. In the circumstances, if the dispute stands resolved, parties to approach the court in view of the same accordingly.

[SUNIL P. DESHMUKH]
JUDGE

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