

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CIVIL APPLICATION NO.8531 OF 2019
IN FA/2598/2017

WITH

19.2 CA/8533/2019 IN FA/2604/2017

WITH

19.3 CA/8534/2019 IN FA/2603/2017

WITH

19.4 CA/8535/2019 IN FA/2602/2017

WITH

19.5 CA/8537/2019 IN FA/2600/2017

WITH

19.6 CA/8538/2019 IN FA/2601/2017

WITH

19.7 CA/8539/2019 IN FA/2599/2017

WITH

19.8 CA/8540/2019 IN FA/2606/2017

RANJEET VITHALRAO PATIL AND ANR
VERSUS

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT
CORPORATION, THR EXE ENGINEER AND ORS.

...

Advocate for Applicants : Mr. Chavan P.S.

Advocate for respondent no.1 : Mr. A.M. Gaikwad

AGP for respondent no.2 : Mr. A.M. Phule

...

AND

24 CIVIL APPLICATION NO.13711 OF 2019
IN FA/2613/2017

WITH

24.1 CA/8549/2019 IN FA/2616/2017

WITH

24.2 CA/8550/2019 IN FA/2615/2017

WITH

24.3 CA/8551/2019 IN FA/2614/2017

WITH

24.4 CA/8552/2019 IN FA/2619/2017

WITH

24.5 CA/8553/2019 IN FA/2618/2017

RAMHARI APPARAO WADANE
VERSUS
THE M.K.V.D.C. THR EXECUTIVE ENGINEER, IRRIGATION PROJECT,
STRENGTHENING DIV, OS

...

Advocate for Applicants : Mr. Chavan P.S.
Advocate for respondent no.1 : Mr. A.M. Gaikwad
AGP for respondent no.2 : Mr. S.P. Deshmukh

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CORAM : MANGESH S. PATIL, J.

DATE : 26.11.2019

PER COURT :

Heard both the sides. The original claimants are seeking withdrawal of the amount of compensation deposited by the appellant acquiring body in this Court pursuant to the impugned judgment and award.

2. The learned advocate for the acquiring body submits that the interest has been awarded under Section 28 not from the date of the award but from the date of the notification under Section 4 of the Land Acquisition Act and the period comes to about 4 years. He also submits that the reference court has awarded enhanced compensation by increasing the rate manifold. He therefore submits that the applicants may not be allowed to withdraw the entire amount of compensation.

3. Considering the aforementioned facts and circumstances, in my considered view, the applicants deserves to be paid 75% of the amount of the compensation subject to usual terms and conditions.

4. The applications are allowed. The applicants are allowed to withdraw 75% of the amount of compensation deposited in this Court, 50% by furnishing an undertaking in usual terms and 25% by furnishing solvent security. Applications are disposed of.

(MANGESH S. PATIL, J.)

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