

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

**922 CIVIL APPLICATION NO.12478 OF 2019
IN FA/2347/2019
WITH
CIVIL APPLICATION NO.12477 OF 2019
IN FA/2348/2019**

**NAMDEO EKNATH GHOLVE
VERSUS
THE GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION AND ANOTHER**

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Mr. D.A. Bide, Advocate for the applicant
Mr. A.M. Gaikwad, Advocate for the respondent No.1

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**CORAM : SMT. VIBHA KANKANWADI, J.
DATE : 15th OCTOBER, 2019**

PER COURT :

- 1 Leave to correct the prayer clauses in both matters.
- 2 Heard both sides.
- 3 Learned Advocate for the applicant submits that the Award came to be passed in the year 2006 and reference Court decided the reference in the year 2017. The Special Land Acquisition Officer has awarded very meagre amount of compensation and even though the reference Court has enhanced the compensation, the applicants, who are agriculturist, have not

received any compensation.

4 Learned Advocate for the respondent-acquiring body submits that the reference Court has awarded the compensation at exorbitant rate and even awarded the excessive compensation for fruit bearing trees.

5 This Court by considering the challenge to the enhanced Award passed by the reference Court, directed the respondent-acquiring body to deposit 50% amount, only out of the Award amount. In view of this, the claimants are permitted to withdraw the amount by imposing certain conditions.

6 The applicants-claimants are permitted to withdraw 50% of the amount deposited.

7 Both Civil Applications for withdrawal of amount are disposed of.

(Smt. Vibha Kankanwadi, J.)

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