

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.3789 OF 2018
IN
FIRST APPEAL NO.1235 OF 2017

V.I.D.C. Thr. The Executive Engineer, Bembla Project Dvn. Yavatmal

-vs-

Sakhubai Bithalrao Aglave and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. B. Patil, Advocate for appellant.

Shri A. B. Nakshane, Advocate for respondent Nos.1 to
5/applicants.

Ms M.S. Naik, AGP for respondent No.6 and 7.

CORAM : A.S.CHANDURKAR, J.

DATE : January 09, 2019

Pursuant to the liberty granted by this Court vide order dated 10/10/2017, this application has been filed seeking further withdrawal of the amount of compensation. It is submitted that the Land Acquisition Officer granted compensation at the rate of Rs.72,997/- per hectare and same has been enhanced to Rs.3,00,000/- per hectare. The learned counsel for the applicants submits that the enhancement is slightly higher than the enhancement to the extent of four times the amount granted by the Reference Court.

The application is opposed by the learned counsel for the appellant on the ground that 50% amount has already been withdrawn.

Considering the enhancement that has been made by the Reference Court which is slightly higher than four

times the compensation granted by the Land Acquisition Officer, the applicants are permitted to withdraw 50% of the balance amount lying in deposit on furnishing undertaking within eight weeks that in case the appeal is allowed, the amount withdrawn shall be repaid with interest at such rate the Court may direct. Remaining amount shall be invested in Fixed Deposit.

The Civil Application is disposed of.

JUDGE