

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1315 OF 2020
IN
FIRST APPEAL NO. 2749 OF 2019

NIVRUTTI NARAYAN DARADE (DIED)
THROUGH LEGAL REPRESENTATIVES
BABURAO EKNATH DARADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....
Advocate for the applicant: Mr. G.K. Sontakke
A.G.P. for respondent No.1: Mr. S.N. Kendre
Advocate for respondent No.2: Mr. V.C.Solshe
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CORAM : V. K. JADHAV, J.
DATED : 4th NOVEMBER, 2020

PER COURT:-

1. Heard both sides.
2. It appears that the Special Land Acquisition Officer has passed award way back in the year 1998 and awarded the compensation at the rate of Rs.300/- per Are. It further appears that the Civil Court has enhanced the compensation amount at the rate of Rs.1260/- per Are and in some of the matters at the rate of Rs.1500/- per Are. I do not think that the Civil Court has enhanced the compensation in excessive manner.
3. In view of the same and since the applicants have not received the compensation at the enhanced rate for a long time, I am inclined to permit the applicants to withdraw the amount with certain

conditions. Hence, the following order:-

O R D E R

- I. The civil application is hereby allowed.
- II. The applicants are permitted to withdraw the amount to the extent of 50% out of the amount deposited before this Court on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court, 25% of the amount out of the amount deposited before this Court on furnishing solvent security/solvent surety to the satisfaction of Registrar (Judicial) of this Court and remaining 25% amount on furnishing bank guarantee of any Scheduled Bank to the satisfaction of Registrar (Judicial) of this Court.
- III. Civil application is disposed of.

(V. K. JADHAV, J.)

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