

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 CIVIL APPLICATION NO. 3328 OF 2020
IN FA/2726/2016

KASHINATH REVANSIDHA ARALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Patne Santosh N.
AGP for Respondents : Mrs. D. S. Jape

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CORAM : V. K. JADHAV, J.
DATED : 23RD NOVEMBER, 2020

PER COURT :-

1. Heard both sides.
2. I have carefully gone through the award passed by the Reference Court dated 18.03.2008. It appears that the S.L.A.O. has granted compensation at the rate of Rs. 20,000/- to 26,000/- per hectare whereas the Reference Court has enhanced the compensation at the rate of Rs.40,000/- per acre. Learned Judge of the Reference Court has observed that the L.A.O. has passed the award on the basis of old revenue assessment which is the improper method adopted.

vre/-

3. In view of the above, the applicants-claimants are permitted to withdraw the compensation amount to the extent of 75% on certain conditions. Hence the following order:

ORDER

- I. The Civil Application is hereby partly allowed.
- II. Out of the compensation amount deposited before this Court, the applicants-original claimants are permitted to withdraw 50% amount on undertaking to the satisfaction of the Registrar (Judicial) of this Court and further 25% amount on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.
- III. The Civil Application is accordingly disposed off.

(V. K. JADHAV, J.)

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