

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

**4 CIVIL APPLICATION NO. 10928 OF 2019
IN FIRST APPEAL NO. 5039 OF 2017
WITH
CIVIL APPLICATION NO. 10929 OF 2019
IN FIRST APPEAL NO. 5042 OF 2017
WITH
CIVIL APPLICATION NO. 10927 OF 2019
IN FIRST APPEAL NO. 5041 OF 2017**

**GOROBA SHANKAR BADAL
VS
THE STATE OF MAHARASHTRA AND ORS**

Mr. Kailas B. Jadhav, Advocate for the applicant
Mr. P. M. Kulkarni, AGP for the respondent/State

CORAM : V. L. ACHLIYA, J.

DATE : 07-12-2020

P. C.

. Heard learned counsel for the applicants/claimants and learned AGP.

2. Perused the order dated 08-01-2018 passed by this Court [Coram: M. S. Sonak, J.] in civil application No. 14504 of 2017 filed in First Appeal No. 344 of 2017 with other connected matters.

3. In brief, it is the contention of the learned counsel for the appellant/s that the amount enhanced by the reference court is more than five times the compensation assessed by the Special

Land Acquisition Officer. It is submitted that no evidence has been adduced to justify the enhancement of compensation.

4. On due consideration of the submission advanced and in view of the order dated 08-01-2018 passed in civil application No. 14504 of 2017 filed in First Appeal No. 344 of 2017 with other connected matters, the present applications are allowed.

5. Applicants are permitted to withdraw the amount to the extent of 50% of compensation amount deposited by the appellant/s on furnishing undertaking to the effect that the if the award is set aside or modified the applicant/s shall re-deposit the amount in terms of order within eight weeks from passing of such order. Withdrawal of amount shall be subject to final out come of appeal making to the extent of 50% amount. Balance amount is to be invested in nationalized bank, in case, same is not already invested.

6. Applications are disposed of in above terms.

[V. L. ACHLIYA, J.]