

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

**CIVIL APPLICATION NO.8251 OF 2021 IN
FIRST APPEAL ST. NO.37497 OF 2019**

The Maharashtra Krishna Valley
Development Corporation & ors.

... **APPLICANTS**

VERSUS

Prakash Ramchandra Ambar

... **RESPONDENT**

.....
Mr. A.M. Gaikwad, Advocate for applicants
Mr. V.D. Sapkal, Senior Advocate with
Mr. L.C. Patil, Advocate for respondent
.....

CORAM : R. G. AVACHAT, J.

DATE : 18th AUGUST, 2021.

PER COURT :

This civil application has been moved for modification of the order dated 18/12/2019, directing the appellant acquiring body to deposit the entire amount under the impugned award within 12 weeks. It has been urged on behalf of the applicants/ appellants that, it is short of funds. The compensation has been awarded in respect of fruit bearing trees which were not in existence.

2. The application has been countered by learned Senior Counsel Mr. V.D. Sapkal appearing for the respondent,

contending that, if the acquiring body is short of funds, it is expected of giving No Objection Certificate in terms of the policy dated 12/8/2014 and thereupon it is the responsibility of the State Government to deposit the amount. According to him, the amount involved is not more than Rs.15,00,000/-.

3. It appears that, the appellant acquiring body is short of funds. The appeal can be decided finally at admission stage within a couple of months. In this factual backdrop, the order dated 18/12/2019 is modified with a direction to the applicant/ appellant to deposit 60% of the amount under the award along with interest accrued therein, instead of the entire amount thereunder within a period of eight weeks from today. Civil Application is disposed of. List the First Appeal for final decision at admission stage in the second week of October 2021.

(R. G. AVACHAT)
JUDGE

fmp/-