

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

**974 CIVIL APPLICATION NO.1391 OF 2021
IN FA/218/2020**

ADVAIT BHAGWAN GHALKE
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
SINCHAN BHAVAN, OSMANABAD AND OTHERS

...
WITH CA/1392/2021 IN FA/219/2020

...
Advocate for Applicants : Shri Laxmikant C. Patil
Advocate for Respondent No.1 : Shri Ram B. Deshpande
AGP for Respondents-State : Shri P.M.Kulkarni

...
CORAM : M.G.SEWLIKAR, J.

DATE: 17th February, 2021

PER COURT:-

1. Heard.
2. Shri L.C.Patil, learned counsel for the applicants states that Special Land Acquisition Officer awarded Rs.605/- per Are whereas the Reference Court awarded the compensation @ Rs.6,500/- per Are.
3. Shri Ram B.Deshpande, learned counsel for respondent No.1 states that the land is partially irrigated and not totally irrigated. On a query, he could not point out that un-irrigated land was acquired. Therefore, Shri Patil, learned counsel for the

applicants submitted that entire land is irrigated land. He further submitted that in other matters arising out of the same project, this Court allowed withdrawal of 75% of the amount deposited. He has tendered the order to that effect across the Bar.

4. In view of this, the applicants are allowed to withdraw 75% of the amount deposited in this Court on the following terms:

- a) 50% amount be paid on furnishing undertaking on usual terms.
- b) 25% amount be paid on furnishing solvent surety.

(M.G.SEWLIKAR)
JUDGE

SPT