

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

**CIVIL APPLICATION NO. 112 OF 2021
IN
FIRST APPEAL NO. 3318 OF 2017**

Manik Tukaram Shinde ... Applicant
Versus
The Executive Engineer
Irrigation Project Strengthening Division & Ors ... Respondents

**AND
CIVIL APPLICATION NO. 110 OF 2021
IN FIRST APPEAL NO. 3320 OF 2017**

Sumanbai Subhash Suryawanshi ... Applicant
Versus
The Executive Engineer
Irrigation Project Strengthening Division & Ors ... Respondents

....
Mr. L. C. Patil, Advocate for applicants
Mr. S. G. Bhalerao, Advocate for respondent No.1

....

CORAM : R. G. AVACHAT, J.

DATED : 15th SEPTEMBER, 2021

PER COURT :-

Learned Advocate for the applicant informs that the acquiring body adopts pick and choose policy. It's approach is discriminatory. In cases where there are more than one awards passed granting same rate of compensation in respect of lands covered by the same notification under Section 4(1), it challenges some of the awards only.

2. If this is so, such practice has to be deprecated/condemned in strongest words and the Officer responsible needs to be taken to task.

3. Heard. Perused the impugned award.

4. The applicants are permitted to withdraw 75% of the amount in deposit with this Court on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

5. The appearance of learned Advocate Shri S. B. Bhosale is discharged since he has now been replaced by learned Advocate Shri S.G. Bhalerao.

6. The civil applications stand disposed of.

[R. G. AVACHAT, J.]

SMS