

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

**CIVIL APPLICATION NO. 11333 OF 2021
IN FIRST APPEAL NO. 2590 OF 2013**

Dhananjay Dnyanoba Shinde ... Applicant
Versus
The Executive Engineer
Lift Irrigation Division, Osmanabad and others ... Respondents

**AND
CIVIL APPLICATION NO. 11335 OF 2021
IN FIRST APPEAL NO. 2589 OF 2013**

Tukaram Dagadu Kadam ... Applicant
Versus
The Executive Engineer
Lift Irrigation Division, Osmanabad and others ... Respondents

....
Mr. V. R. Dhorde, Advocate for applicants
Mr. S. P. Sonpawale, Advocate for respondent No.1
Mr. A. B. Chate, AGP for respondent Nos. 2 and 3
....

**CORAM : R. G. AVACHAT, J.
DATED : 14th OCTOBER, 2021**

PER COURT :-

- . Heard. Perused the impugned award.
2. According to learned Counsel for the acquiring body, the Reference Court ought to have granted compensation considering

the land to be agricultural. It has, however, granted compensation considering it's N. A. potential. As such, the appellant has very good case to succeed. He, therefore, opposed for grant of withdrawal.

3. Only 50% of the amount under the impugned award has been deposited in this Court. The amount deposited in this Court be paid to the applicants along with interest accrued thereon, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

4. The civil applications stand disposed of.

[R. G. AVACHAT, J.]

SMS