

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.8430 OF 2020
IN FA/1704/2020

VIDYABAI WAMANOTHERAO PATIL AND OTHERS
VERSUS
THE EX. ENGINEER, WAGHUR DM DIVISION, JALGAON AND
OTHERS

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Advocate for Applicants : Mr. A. J. Patil
Advocate for Respondent No. 1 : Mr. S. D. Dhongade
AGP for Respondent No. 2 : Ms. D. S. Jape

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CORAM : ANIL S. KILOR, J.

DATE : 18th MARCH, 2021

PER COURT :-

This is an application for modification of order passed by this Court dated 21-08-2020 on Civil Application No. 4838 of 2020, whereby, permission was granted to the claimants to withdraw the amount to the extent of 60% of the total amount deposited by Acquiring Body.

2. Modification, which is sought by present application, is that the 3rd Joint Civil Judge, Senior Division, Jalgaon, while granting compensation has held that, applicant no. 1 is entitled for 50% of the amount of compensation and applicants no. 2 to 7 are entitled for remaining 50%. Thus, he submits that, amount of 60% shall be disbursed in the same way as it is held by learned Reference Court.

3. In the back-drop, the modification as sought for is necessary. Hence, I pass the following order :-

ORDER

1. The 60% amount which is permitted to be withdrawn by applicants vide Order dated 21-08-2020, out of the same, disbursement shall be made as per entitlement held by learned Reference Court in its Judgment and Award dated 26-10-2018 passed in Land Acquisition Reference No. 1876 of 2005.
2. The Civil Application is allowed and disposed of, accordingly.

(ANIL S. KILOR)
JUDGE

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