

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3042 OF 2021
IN FIRST APPEAL (ST) NO. 1075 OF 2016

DHANGO KALU KALE (DIED) THR LRS BHAGWAT (DIED)
THR LRS PUSHPABAI (DIED) THR LRS RAJENDRA AND
OTHERS
VERSUS
THE COLLECTOR JALGAON AND OTHERS

...
Advocate for Applicants : Mr. M.R. Malpani h/f.
Mr. A.B. Kale
Advocate for Respondent No.1 and 2 : Mr. S.R. Yadav-Lonikar
Advocate for Respondent No.3 : Mr. S.S. Dande
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CORAM : S.G. DIGE, J.
DATE : 23rd June, 2022

ORDER :

. Heard learned Counsel for applicants and learned Assistant Government Pleader for respondent Nos.1 and 2.

2. Learned Counsel for applicants submits that, land of the applicants/original claimants was acquired by the authorities of respondent No.3 - M.I.D.C. Jalgaon. The learned Reference Court was pleased to allow the

petition. Respondent No.3 has preferred First Appeal against the order of Reference Court. As per the order of this Court, respondent No. 3 has deposited the entire amount before this Court. This Court has allowed the applicants to withdraw 50% amount, out of deposited amount by order dated 14.02.2018. The applicants are residents of Jalgaon hence, requested to transfer 50% amount to the Reference Court, Jalgaon i.e. Civil Judge, Senior Division, Jalgaon.

3. Learned Counsel for respondent No.3 submits that, he has no objection for transfer of amount to the Court of Civil Judge, Senior Division, Jalgaon, but disbursement of amount shall be done after scrutiny and making proper enquiry. Considering the submissions of both the Counsel, I pass the following order :

ORDER

- a) The application is allowed.
- b) The 50% amount out of deposited amount by respondent No.3 before this Court shall be

transferred to the Court of Civil Judge, Senior Division, Jalgaon.

- c) The learned Civil Judge, Senior Division shall disburse the amount to the applicants after making proper scrutiny and as per order of this Court dated 14th February, 2018.
- d) The Civil Application is disposed of.
- e) List the First Appeal on 29th July, 2022.

[S.G. DIGE, J.]