

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

933 CIVIL APPLICATION NO.11273 OF 2022
IN FIRST APPEAL NO.330 OF 2020

SOJARBAI TUKARAM DUDDE
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

WITH

CIVIL APPLICATION NO.11272 OF 2022
IN FIRST APPEAL NO.329 OF 2020

VINOD DATTATRAY GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

WITH

CIVIL APPLICATION NO.11274 OF 2022
IN FIRST APPEAL NO.327 OF 2020

GOVIND TUKARAM DUDDE
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

WITH

CIVIL APPLICATION NO.11271 OF 2022
IN FIRST APPEAL NO.328 OF 2020

LAXMIBAI GUNDAPPA GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

WITH

CIVIL APPLICATION NO.11275 OF 2022
IN FIRST APPEAL NO.326 OF 2020

ASHOK DATTATRAY GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

...
Advocate for the applicants in all CA : Mrs.S.A.Tambat
Dhumal h/f. Mr.A.S.Deshpande
AGP for Respondent-State in all CA : Mr.P.M.Kulkarni
Advocate for Respondent no.2 : Mrs.Chaitali R. Kutti
Choudhary
...

CORAM : S.G.DIGE, J.

DATE : 04.08.2022

P.C. :

1] Heard the learned counsel for the applicants, learned AGP for the respondent-State and learned counsel for respondent no.2.

2] The learned counsel for the applicants submits that the applicants' lands are acquired by the respondent in the year 2007. This Court has allowed the applicants to withdraw 50% amount out of deposited amount by respondent no.2. The learned counsel further submits that the applicants are facing financial crisis. They are poor farmers. They need money for day to day expenses. The only source of income of the applicants was the agricultural lands, which are acquired by respondent no.2. Though

earlier the applicants had withdrawn 50% amount but it was utilized for the family function and other expenses, hence, the applicants need amount and requested to allow the applications.

3] The learned counsel for respondent no.2 submits that this Court has already permitted the applicants to withdraw 50% amount. Respondent no.2 has raised issue of compensation given in respect of fruit bearing trees before this Court. If the applicants are allowed to withdraw the amount and respondent no.2 succeeds in the appeal, it would be difficult for respondent no.2 to recover the amount from the applicants, hence, requested to dismiss the applications.

4] I have heard all the learned counsel. The applicants are poor farmers. Their lands are acquired in the year 2007. They have permitted to withdraw 50% amount by this Court. They had utilized the said amount for their family function and other expenses. They need amount for

their daily expenses as there is no other source of income to them, hence, I pass following order:

ORDER

i] The applicants are permitted to withdraw 25% amount along with accrued interest thereon out of deposited amount by respondent no.2 on furnishing surety.

ii] All Civil Applications are disposed of.

**[S.G.DIGE]
JUDGE**

DDC