

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO.10243 OF 2022
IN FIRST APPEAL (ST) NO. 24174 OF 2019
WITH CA/10244/2022 IN FAST/24344/2019
WITH CA/10246/2022 IN FAST/24359/2019
WITH CA/10245/2022 IN FAST/24362/2019**

SANJAY SHRISHYALYA MAGE (DIED) THR LRS RATNAPRABHA
AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECOTOR,
OSMANABAD AND OTHERS

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Advocate for Applicants : Mr. L.C. Patil
AGP for Respondent Nos.1 and 2 : Ms. D.S. Jape
Advocate for Respondent No.3 : Mr. R.C. Patil

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CORAM : S.G. DIGE, J.
DATE : 15th July, 2022

ORDER :

. Heard learned Counsel for applicants, learned A.G.P. for respondent Nos.1 and 2 and learned Counsel for respondent No.3.

2. Learned Counsel for applicants submits that, respondent No.3 has preferred appeal against order of learned reference Court and entire award amount is deposited before this Court. The applicants are poor farmers, they need amount for their daily business.

Applicants have no other source of income hence, requested to withdraw the amount.

3. Learned Counsel for respondent No.3 submits that, the learned reference Court has given excessive compensation to the applicants and same is challenged by the respondent No.3, hence, requested to stay the order impugned of learned reference Court.

4. I have heard both the learned Counsel. The applicants' lands are acquired by respondent No.3. The compensation awarded to the applicants by the learned reference Court is challenged by the respondent No.3 before this Court. Applicants are poor farmers, they need money for their daily business. They have no other source of income. Hence, I pass the following order :-

ORDER

- a) Applicants are permitted to withdraw 75% amount out of deposited amount by giving undertaking in that regard before the learned Registrar (Judicial).
- b) Civil applications are disposed of.

(S.G. DIGE, J.)