

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

967 CIVIL APPLICATION NO.12884 OF 2022
IN FA/3468/2019 WITH CA/1934/2022 IN FA/492/2021
WITH CA/12895/2022 IN FA/498/2021 WITH
CA/16614/2022 IN FA/3575/2019 WITH CA/16615/2022 IN
FA/3577/2019 WITH CA/16616/2022 IN FA/3574/2019

SUNDARABAI PANDHARINATH NAALE AND ANOTHER
VERSUS

EXE. ENGINEER, URDHAVA PRAVRA CANAL DIV.,
SANGAMNER @THE G.M.I.D.C., SANGAMNER AND ANR

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Mr. Vinod Y. Bhide, Advocate for the applicants.
Mr. A.M. Gaikwad, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20.12.2022.

ORDER:-

1. Heard rival submissions. The respective applicants in all these applications are seeking withdrawal of compensation amounts in disposed of appeals. Though there was certain dispute among the parties as to which amount is to be given to the applicants and which amount is to be refunded to the Acquiring Body, but for that purpose the report of concerned Department was called through the Registrar (Judicial) of this Court. Accordingly, the report of Registrar (Judicial) dated 16.12.2022 has been received alongwith the calculations made by Section Officer (PLA) in respect of the amounts in all these applications mentioning

that how much amounts are to be paid to the claimants and how much amounts are to be refunded to the Acquiring Body. The said report alongwith the aforesaid calculations reflected in the chart therein is made part of this order. It is also clarified that in First Appeal No. 492 of 2021 there were two claimants, but one of those claimants namely Bhikabai i.e. respondent No.2 is no more and the respondent No.1 being her legal heir, is already on record. As such, the entire amount in the aforesaid appeal is now to be paid to respondent No.1 Kisan Mahadu Chaudhari as per the chart. As such, all the applicants are permitted to withdraw the amounts as mentioned in the aforesaid chart under the column "Amounts to be paid to the claimants" alongwith the interest accrued thereon till date. The amounts mentioned in the chart under the column "Amounts to be refunded to the Acquiring Body" be paid to the Acquiring Body alongwith the interest till date.

2. The applications are accordingly disposed of.

3. In view of the aforesaid order, there is no need to allow prayer clause (B) in CA No. 1934 of 2022 and the same stands disposed of.

(SANDIPKUMAR C. MORE, J.)