

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

958 CIVIL APPLICATION NO.12745 OF 2022
IN FA/2430/2022

PRAKASH AMBU LOMATE AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS
WITH
CIVIL APPLICATION NO. 12746 OF 2022
IN
FIRST APPEAL NO. 2429 OF 2022

PANDURANG VITTHAL LOMATE
THR LRS SATYABHAMA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr. V.V. Ingale h/f Mr. V. B. Deshmukh
AGP for Respondents: Mrs. D. S. Jape

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CORAM : S. G. DIGE, J.
DATE : 15.09.2022

PER COURT :-

Heard learned counsel for the applicant and
learned counsel for respondents.

2. Learned counsel for the applicant submits that
applicants lands are acquired in the year 2007, since then
applicants have not received any compensation. Applicants are
poor agriculturist. They require amount for their daily
expenses hence requested to allow the application.

3. Learned AGP submits that exorbitant compensation is awarded by the Reference Court. The Compensation is awarded ten times more than the award granted by the Special Land Acquisition Officer hence requested to dismiss the application.

4. I have heard both the learned counsel. Applicants lands are acquired in the year 2007. Applicants are agriculturist. They have no source of income. For acquired land they have not received any compensation. They required amount for their daily expenses. Hence I pass the following order.

ORDER

- (I) Applicants are permitted to withdraw 50% amount along with accrued interest thereon out of award amount on furnishing undertaking.
- (ii) Applicants are permitted to withdraw 25% amount along with accrued interest thereon out of award amount on furnishing solvent surety, remaining 25% amount shall be deposited in the fixed deposit of any nationalized Bank.

**(S.G. DIGE,)
JUDGE**