

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13648 OF 2022
IN X-OBJST/36510/2017 IN FA/2291/2016

SHAHAJI BHANUDAS KAPSE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. M.L. Dharashive
AGP for Respondent Nos.1 and 2 : Mr. S.S. Dande
Advocate for Respondent No.3 : Mr. G.B. Rajale
....

CORAM : S.G. DIGE, J.
DATE : 29th September, 2022

ORDER :

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

2. This application is filed for withdrawal of remaining 25% amount.

3. Learned Counsel for applicant submits that, this Court has already permitted applicant to withdraw 75% amount. Now applicant is 75 years old and all the family

members are depend on him. There is no source of income to the applicant. Hence, requested to allow the application.

4. Learned Counsel for respondent No.3 submits that, Special Land Acquisition Officer has granted Rs.270/- per R whereas the Reference Court has awarded Rs.3,000/- per R which is exorbitant. This Court has permitted to applicant to withdrawal of 75% amount earlier hence, requested to dismiss the application.

5. I have heard all learned Counsel. This Court has permitted the applicant to withdraw 75% amount earlier as per enhanced rate Rs.3,000/- per R and this Court has already allow the application of applicant filed for final hearing. In view of the above, application is dismissed.

6. Stand over to 5th December, 2022.

[S.G. DIGE, J.]