

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

**CIVIL APPLICATION NO.14121 OF 2022
IN FA/2828/2018**

**HARIDAS NARAYAN PATIL AND ANR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS**

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Mr. L. C. Patil, Advocate for the Applicants.
Mr. A. B. Chate, AGP for Respondents-State.
Mr. K. M. Daskhedkar h/f Mr. R. C. Patil, Advocate
for Respondent No.2.

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CORAM : S. G. DIGE, J.

DATED : 11th OCTOBER, 2022.

PER COURT:-

1. Heard learned counsel for the applicants and learned counsel for respondent no.2.

2. The learned counsel for the applicants submits that, lands of the applicants are acquired by respondent no.2. Since then, they have not received any compensation for their lands. The applicants are the poor farmers. They need the amount for their daily expenses. Hence, requested to allow the application.

3. The learned counsel for respondent no.2 submits that, the Reference Court has Awarded the compensation amount more than 20 times given by the Special Land Acquisition Officer. The said fact is disputed before this Court by way of the present

Appeal. If the applicants are permitted to withdraw the amount then it would be difficult for respondent no.2 to recover the amount. Hence, requested to dismiss the Appeal.

4. I have heard both the learned counsels.

5. The lands of the applicants are acquired by respondent no.2 in the year 1993. Since then, the applicants have not received any compensation. The applicants need the amount for their daily expenses. The applicants are poor farmers. They have no other source of income. It is the contention of the learned counsel for respondent no.2 that, Reference Court has enhanced the compensation more than 20 times given by the Special Land Acquisition Officer.

6. In view of the above, I pass the following order:

ORDER

(i) The application is allowed.

(ii) The applicants are permitted to withdraw 50% amount alongwith accrued interest thereon out of deposited amount by the respondents on furnishing undertaking.

(iii) The Civil Application is disposed of.

(S. G. DIGE)
JUDGE