

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

924 CIVIL APPLICATION NO.2968 OF 2021
IN FA/422/2020

DAMU SHAHADU CHAUDHARI AND OTHERS
VERSUS
EXECUTIVE ENGINEER, MAHARASHTRA INDUSTRIAL DEV.
CORPORATION, M.I.D.C. JALGAON AND OTHERS

...
Advocate for Applicants : Mr. Y. R. Neb h/f.
Mr. A B Kale
Advocate for Respondent No.1 : Mr. S. S. Dande
AGP for Respondents – State : Mr. P. M. Kulkarni
...

CORAM : S. G. DIGE, J.

DATE : 05.07.2022

PER COURT :

. Heard learned counsel for applicants, learned AGP for respondents-State and learned counsel for respondent No.1.

2. Learned counsel for applicants submits that the Reference Court has awarded the amount in favour of applicants. Respondent No.1 has challenged the said judgment and award passed by Reference Court before this Court and has deposited the entire amount before this Court. The applicants are poor agriculturists and they have no other source of income. They are in need of money for their

survival. Valuable property of the applicants is acquired under compulsory acquisition but the applicants have not received the adequate compensation for the same. Hence, applicant be permitted to withdraw the amount deposited by respondent No.1.

3. Considering the submissions of learned counsel for all the parties as well as the reasons mentioned in the application, I am of the view that applicants are poor agriculturists. They required money for their daily expenses. The Reference Court has awarded compensation to the applicants. Hence, applicants can be permitted to withdraw the 50% amount out of the deposited amount. Hence application is allowed. Applicants are permitted to withdraw 50 % amount out of the entire deposited amount by furnishing undertaking.

4. Civil Application is disposed of accordingly.

(S. G. DIGE)
JUDGE

.....

shp/-