

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

**113 CIVIL APPLICATION NO.13846 OF 2022
IN FA/2087/2022**

VINAYAK BAPURAO KAWALE
VERSUS
THE STATE OF MAHARASHTRA THR. THE COLLECTOR, LATUR AND
OTHERS

...
WITH CA/13844/2022 IN FA/2089/2022
WITH CA/13849/2022 IN FA/2084/2022
WITH CA/13850/2022 IN FA/2082/2022
WITH CA/13848/2022 IN FA/2085/2022
WITH CA/13843/2022 IN FA/2090/2022
WITH CA/13841/2022 IN FA/2092/2022
WITH CA/13851/2022 IN FA/2081/2022
WITH CA/13845/2022 IN FA/2088/2022
WITH CA/13854/2022 IN FA/2078/2022
WITH CA/13847/2022 IN FA/2086/2022

...
Advocate for Applicants : Mr.B.M.Dhanure
AGP for Respondents-State : Mr.S.S.Dande,
Advocate for Respondent No.3 : Mrs.Ranjana D.Reddy

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

DATE : 03-10-2022

PER COURT :-

1. Heard learned counsel for the applicants and learned counsel for the respondent-Acquiring Body.
2. Learned counsel for the applicants submits that the applicants are poor farmers. They need the amount for their daily expenses. They have not received compensation amounts

since acquisition of their landed property. They are facing difficulties in day-to-day business. Because of paucity of funds, they are not able to celebrate festivals. Hence, requested to allow the applications.

3. Learned counsel for respondent-Acquiring Body submits that the Special Land Acquisition Officer (for short 'the SLAO') has granted the compensation @ Rs.1,980/- per Are whereas the Reference Court has enhanced it to Rs.10,540/- per Are, which is more than five times and the said Judgment and award is challenged by the respondent - Acquiring Body by way of appeal. The respondent -Acquiring Body has deposited 60% of amount out of awarded amount alongwith accrued interest thereon in this Court. If applicants are permitted to withdraw the amount and respondent - Acquiring Body succeeds in the appeals, it will be difficult for the respondent to recover the amounts. Hence, requested to reject the applications.

4. I have heard both the learned counsel. Applicants' lands are acquired in the year 2006. Since then they have not received compensation for their landed property. They need the amounts for their daily expenses. They are facing financial crises due to paucity of funds. Some applicants need money for

education of their children and some applicants need money for medical treatment. Compensation is given five times more than the amount awarded by the SLAO. Hence, I pass the following order :-

ORDER

- i] The applications are allowed.
- ii] The applicants are permitted to withdraw the entire amount deposited by the respondent - Acquiring Body along with accrued interest thereon on furnishing undertaking.
- iii] Civil Applications are disposed of accordingly.

(S.G. DIGE)
JUDGE

SPT