

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14696 OF 2022
IN FIRST APPEAL NO. 1687 OF 2020
WITH CA/14245/2022 IN FA/1686/2020
WITH CA/14708/2022 IN FA/1690/2020

SAHADEO DASHRATH CHIKATE
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
LATUR AND OTHERS

...
Advocate for Applicant : Mr. G.K. Sontakke
AGP for Respondent Nos.1 and 2 : Mr. S.N. Morampalle
Advocate for Respondent Nos.3 and 4 : Mr. S.C. Arora
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CORAM : S.G. DIGE, J.
DATE : 18th October, 2022

ORDER :

. Heard learned Counsel for applicant, learned A.G.P. for respondent Nos.1 and 2 and learned Counsel for respondent Nos.3 and 4.

2. Learned Counsel for applicant submits that, respondent Nos.3 and 4 - acquiring body had acquired the lands of the applicant. Since the acquisition of the lands applicant has not received any compensation. Earlier this Court has permitted applicant to withdraw amount of

Rs.18,00,000/- out of deposited amount. Some of the applicants in connected group of matters had filed appeals before the Hon'ble Apex Court for withdrawal of 100% amount. The Hon'ble Apex Court remanded back the matter before this Court to consider the applications filed by the applicants. In connected group of matters out of 10 applicants, applicant is one of them, hence requested to allow the applications.

3. Learned Counsel for respondent Nos.3 and 4 submitted that, appropriate orders be passed.

4. I have all the learned Counsel, in connected group of matters the Hon'ble Apex Court has given direction to consider applications for withdrawal of 100% amount. Applicant is poor farmer and he has no source of income. Hence, I pass the following order :

ORDER

(a) Applications are allowed.

(b) Applicant is permitted to withdraw remaining amount of Rs.16,99,820/- along-with accrued interest thereon

on furnishing solvent surety and security in **Civil Application No.14696 of 2022** in First Appeal No.1687 of 2020.

- (c) Applicant is permitted to withdraw remaining 60% along-with accrued interest thereon on furnishing solvent surety and security in **Civil Application No.14245 of 2022** in First Appeal No.1686 of 2020.
- (d) Applicants are permitted to withdraw remaining 50% amount along-with accrued interest thereon on furnishing solvent surety and security in **Civil Application No.14708 of 2022** in First Appeal No.1690 of 2020.
- (e) The civil applications are disposed of.

[S.G. DIGE, J.]