

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14899 OF 2022
IN FIRST APPEAL (ST) NO. 16366 OF 2020
WITH CA/14902/2022 IN FAST/16757/2020

TULSHIRAM HARIBA BADDE
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR LATUR
AND ANOTHER

...
Advocate for Applicant : Mr. S.V. Gundre
AGP for Respondent No.1 : Mr. S.S. Dande
Advocate for Respondent No.2 : Mr. R.B. Gaikwad
....

CORAM : S.G. DIGE, J.
DATE : 21st October, 2022

ORDER :

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

2. Learned Counsel for applicant submits that, applicant is poor farmer. Lands of applicant are acquired by the respondent No.2. Since acquisition of the lands, applicant has not received any compensation amount. They have no source of income. They needs amount for their daily expenses. Hence, requested to allow application.

3. Learned Counsel for respondent No.2 submits that, excessive compensation is awarded by the Reference Court. The S.L.A.O. has granted amount of Rs.1,00,000/- per H whereas the Reference Court has granted amount of Rs.6,29,000/- per H which is excessive and the said impugned order is challenged before this Court. Hence, requested to dismiss the application.

4. I have heard all the learned Counsel. Admittedly, the lands of the applicant are acquired by the respondent No.2. Applicant is poor farmer. He needs amount for his daily expenses. He has no source of income. The enhancement granted by the Reference Court is five times more than the S.L.A.O. Hence, I pass the following order :-

ORDER

- (a) Applications are allowed.
- (b) Applicant/applicants is permitted to withdraw 75% amount along-with accrued interest thereon out of deposited amount on furnishing usual undertaking.
- (c) The Civil Applications are disposed of.

[S.G. DIGE, J.]