

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

**CIVIL APPLICATION NO. 16254 OF 2022 IN
FIRST APPEAL NO. 979 OF 2022**

Balu @ Balasaheb Sambhaji Kejgir

Applicant

Versus

The G. M. I. D.C., through the Executive
Engineer, Minor Irrigation, Parbhani
and others

Respondents

Mr. M. P. Kale, advocate for the Applicant
Mr. R. B. Gaikwad, advocate for Respondent No.1.
Mr. S. N. Kendre, AGP for Respondents No. 2 and 3.

**WITH
CIVIL APPLICATION NO. 16258 OF 2022 IN
FIRST APPEAL NO. 978 OF 2022
CIVIL APPLICATION NO. 16257 OF 2022 IN
FIRST APPEAL NO. 977 OF 2022**

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

Heard rival submissions.

The respective applicants, in all these applications, are seeking withdrawal of entire amounts of compensation which have been deposited by the acquiring body pursuant to the respective impugned awards.

The learned Counsel for the acquiring body strongly opposed the applications on the ground that the Reference Court

has awarded exorbitant amount of compensation in respect of trees by ignoring the fact that in joint measurement, there were no trees found.

However, the learned Counsel for the applicants pointed out that the Reference Court has granted only twice of the amount which had been granted by the SLAO. He further pointed out that the applicants had led specific evidence about the existence of trees and thereafter the Reference Court found it appropriate to grant compensation in respect of the trees.

In view of the same, the applicants, in all these applications, are permitted to withdraw only 75% of the deposited amounts along with accrued interest thereon till date, on furnishing usual undertaking to the satisfaction of the Registrar (J) of this Court. The remaining amount be invested in FDR in any Nationalised Bank till final disposal of these appeals.

Civil Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 1022 OF 2022 IN
FIRST APPEAL NO. 977 OF 2022**

The G. M. I. D.C., through the Executive
Engineer, Minor Irrigation, Parbhani
and others

Applicants

Versus

Mahadu Sambhaji Kejgir

Respondents

Mr. R. B. Gaikwad, advocate for applicants.
Mr. M. P. Kale, advocate for the Respondent.

**WITH
CIVIL APPLICATION NO. 1018 OF 2022 IN
FIRST APPEAL NO. 978 OF 2022
CIVIL APPLICATION NO. 1020 OF 2022 IN
FIRST APPEAL NO. 979 OF 2022**

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

Since the acquiring body has deposited entire amounts of compensation in all these matters,, these Civil Applications are made absolute in terms of prayer clause “ A “ and disposed of accordingly.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb

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

FIRST APPEAL NO. 977 OF 2022

The G. M. I. D.C., through the Executive
Engineer, Minor Irrigation, Parbhani
and others

Appellants

Versus

Mahadu Sambhaji Kejgir

Respondents

Mr. R. B. Gaikwad, advocate for appellants.
Mr. M. P. Kale, advocate for the Respondent.

**WITH
FIRST APPEAL NO. 978 OF 2022
WITH
FIRST APPEAL NO. 979 OF 2022**

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

Heard.

Admit.

Learned Counsel Mr. M. P. Kale waives notice for
respondents /respective claimants.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb