

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

909 CIVIL APPLICATION NO.6323 OF 2023
IN CP/199/2019

PRALHAD BAPURAO GUDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr. Mehul Vikas Navandar.
AGP for Respondent/State : Mr. A. R. Kale.
...

CORAM : **R. G. AVACHAT** and
SANJAY A. DESHMUKH, JJ.

DATE : 16th June, 2023.

Per Court:

. Heard.

2 This civil application has been moved for direction to the respondent State/Land Acquisition Officer, to pay the applicants the amount of compensation, in view of Section 28A of the Land Acquisition Act.

3 The amount of compensation has been determined and is admittedly payable to the applicants. The respondents are also ready to release the amount in favour of the applicants with a rider that they shall submit some kind of security and preferably bank guarantee. It is informed by the learned counsel for the applicants that the applicants

are poor. Their entire lands have been acquired for percolation tank. They are, therefore, rendered landless and doing labour work to earn their living. As such, they are unable to furnish bank guarantee.

4 The respondent-State admits to owe the amount of compensation to the applicants.

5 We therefore, direct the concerned authorities to release the amount forthwith in favour of the applicants.

6 It is informed by the learned counsel for the applicants that the applicants have already furnished undertaking that they would return the amounts, if it is found that they were not entitled to it or any party thereof.

7 The civil application thus, stands disposed of.

[SANJAY A. DESHMUKH, J.]

[R. G. AVACHAT, J.]

nga