

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

**CIVIL APPLICATION NO. 2961 OF 2023
IN FA/494/2021**

Balkrushna Mahadu Chaudhari
(Dead through L.Rs.)
Dropada Balkrushna Chaudhari and others .. Applicants

Versus

The Godavari Marathwada Irrigation
Development Corporation,
Through its Executive Engineer
and another .. Respondents

Mr. Vinod Y. Bhide, Advocate for the Applicants.
Mr. A. M. Gaikwad, Advocate for Respondent No. 1.
Mr. S. B. Pulkundwar, AGP for Respondent No. 2.

CORAM : KISHORE C. SANT, J.

DATED : 13th OCTOBER, 2023.

P. C. :-

. Heard learned advocates for the parties.

2. This application is filed by original claimants – respondents in first appeal. The first appeal is already disposed off. By way of judgment and order this Court found the claimants entitled to receive compensation of Rs. 2,87,038/- whereas, the amount deposited in this Court is Rs. 3,19,082/- as awarded by the Reference Court. The appellant – acquiring body is thus entitled to receive Rs. 32,044/- as

the amount of compensation is reduced to Rs. 2,87,038/-. The compensation and the figures are accepted by the parties.

3. In view of the same, the applicants-original claimants are entitled to receive Rs. 2,87,038/- along with accrued interest thereon. The acquiring body – appellant shall be entitled to receive Rs. 32,044/- along with accrued interest thereon. Hence, the following order is passed.

4. The civil application is allowed.

5. The applicants are allowed to withdraw an amount of Rs. 2,87,038/- along with accrued interest thereon. The appellant – acquiring body is entitled to withdraw Rs. 32,044/- along with accrued interest thereon.

6. With this, the civil application stands disposed off.

(KISHORE C. SANT, J.)

RS.B.