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CA 699.24 sr.21.odt

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

**CIVIL APPLICATION NO. 699 OF 2024
IN CP/627/2018**

GANPATI MANIK KUNDGIR AND ORS

....Applicant

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

.....Respondent

.....

Advocate for Applicant : Mr. Adkine Sonaji Kundlikrao

AGP for Respondents 1 and 2: Mr. K. B. Jadhavar.

Advocate for respondent No.3 : Mr. E.P. Sawant.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 12 AUGUST, 2024.

ORDER :-

Heard learned advocates for respective parties.

2. The applicants, who are original petitioners in W.P. No. 3544 of 2004 had approached this Court assailing the order dated 23.11.2000 and 17.8.1998 passed by the Additional Commissioner, Aurangabad and District Collector, Parbhani, respectively, as regards to the damages and compensation as per the report dated 11.9.1989, prepared by the Soil Conservation Officer, Parbhani.

3. This Court, vide order dated 13.11.2017, directed the respondents to deposit the compensation as awarded to the applicants, as per the report of the Soil Conservation Officer alongwith interest @ 12% p.a., which was subsequently modified to 6% p.a. The respondents have deposited the amount of Rs. 28,43,360/- with the Registry of this court

and the list of beneficiaries is also provided. The applicants contend that they are entitled to receive the amount, as specified in the prayer clause of this application.

4. Mr. Sawant, learned advocate for the respondent No.3 submits that so far as names of applicants in the present civil application is concerned, some changes are introduced and the beneficiaries are not as per the original list.

5. Mr. Adkine, learned advocate for applicants counters this submission and states that all the applicants are as per the list of the beneficiaries provided by the respondents and there shall not be any difficulty to disburse the amount in the names of the applicants.

6. Considering the submissions advanced, the civil application can be disposed of with following directions :-

: O R D E R :

- (i) Civil application is partly allowed;
- (ii) Amount deposited by the respondent No.1 be disbursed to the applicants as per their shares in tune with the list provided by the respondent No.3.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-