



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3686 OF 2024
IN FA/1857/2023
WITH
CIVIL APPLICATION NO. 3826 OF 2023
IN FA/1857/2023

Sachin S/o Rangnath Temkar And Anr

VERSUS

The State Of Maharashtra Through Sub Divisional Officer

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Advocate for Applicants : Mr. Rodge Suresh N.

AGP for Respondent/State : Mr. P.D. Patil

Advocate for Respondent No.2 : Ms. Vaishali S. Swami h/f Mr. Mahesh
C Swami

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CORAM : S.G. MEHARE, J.

DATED : APRIL 19, 2024

PER COURT:-

1. Heard the respective counsels.
2. Learned counsel for the appellant strongly opposed the application. She would submit that the Reference Court has granted exorbitant compensation.
3. Learned counsel for the applicants submits that the compensation is just and reasonable. There is no force in the submission of the learned counsel for the appellant. Its a question of quantum only that itself indicates that the applicants deserve enhancement.
4. Considering the grounds raised in the appeal, the following order is passed :

ORDER

- (i) The application is partly allowed.
- (ii) The applicants are allowed to withdraw 75% of the amount with interest deposited with this Court. Out of it, 50% amount be released on undertaking to deposit the money if the impugned judgment and award is reversed. Remaining 25% amount be released on surety/security.
- (iii) Balance amount be deposited in fixed deposit as per rules.

ORDER IN CIVIL APPLICATION NO. 3826 OF 2023 (STAY) :

- 1. Heard the respective counsels.
- 2. The appellant has arguable points in the appeal. The amount of award has been deposited. Hence, the ad-interim stay granted to the appellant stands confirmed till the conclusion of the appeal. The application stands disposed of.
- 3. Admit.
- 4. Issue notice to the respondents.
- 5. Learned AGP waives service of notice for respondent/State and learned counsel Mr. S.N. Rodge waives service of notice for respondent nos.1 and 2.
- 6. Call record and proceedings.

(S.G. MEHARE, J.)