



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

**CIVIL APPLICATION NO. 2015 OF 2024
IN FA/3685/2019**

**VIJAY DIPCHAND CHORDIYA AND ANR
VERSUS
THE MUNICIPAL CORPORATION JALGAON THR
COMMISSIONER, JALGAON AND ANR**

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Mr. A. P. Bhandari, Advocate for applicants

Mr. V. G. Kodale, Advocate h/f Mr. V. D. Gunale, Advocate for
respondent No.1

Mr. S. V. Hange, AGP for respondent No.2 – State

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 15 MARCH 2024

PER COURT :-

1. Heard the learned Counsel for the applicants and the
learned Counsel for the non applicants, at length.

2. By the present application, the applicants prayed for
permission for withdrawal of the amount of Rs. 1,34,59,800/- on
the ground that the acquiring body-non applicant No.1 Municipal
Corporation has acquired their land to the extent of 2875 square
meters, for which the learned Special Land Acquisition Officer had

determined the compensation of Rs.460/- per square meter. However, the said compensation has been enhanced by the learned Reference Court on 18.05.2018 in L.A.R. No.254 of 2008 by enhancing the compensation at the rate of Rs.1500/- per square meter for 2875 square meters.

3. Being aggrieved by the said enhanced compensation, the acquiring body has filed the present appeal. It is not in dispute that the non applicant No.1 has deposited the amount of Rs.1,34,59,800/- to the satisfaction of the award.

4. The learned Counsel for the appellant disputed the determination of compensation and as such, the land owners/ applicants prayed for withdrawal of the amount. Therefore, considering the material placed on record, it would be just and proper to permit the applicants to withdraw an amount of Rs.75,00,000/- on furnishing undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. So also, the applicants shall furnish the undertaking that in case, the award is reversed by this Court, then they would re-deposit the said amount within a period of four weeks therefrom.

5. The civil application is accordingly disposed of.

[Y. G. KHOBRADE, J.]

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