



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

908 CIVIL APPLICATION NO. 3024 OF 2024
IN FAST/10220/2022

ACHYUT JANARDHAN SATHE
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIV. OSMANABAD

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Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr.K.S. Hoke Patil
Advocate for Respondent No. 1 : Mr.Hemraj P. Kshirsagar

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CORAM : KISHORE C. SANT, J.

DATE : 24.10.2024.

PER COURT :

1. Heard the parties.
2. This application is filed for withdrawal of the amount deposited in this Court by the appellant acquiring body. 25% of the amount deposited in this Court is already allowed to be withdrawn by order dated 17.02.2023. However, the applicant has come with a case that in subsequent orders of this Court this Court has allowed to withdraw 75% of the amounts to those applicants.

3. The application is vehemently opposed by the respondent.

4. Learned Advocate for the Acquiring Body submits that learned SLAO had granted rate of Rs.17,750/- per hector, which is enhanced to Rs. 7,50,000/-. He thus, submits that the enhancement is exorbitant.

5. This Court finds that the acquisition is of the year 2019. Considering these factors, this Court does not find that the amount is exorbitant. The total amount of compensation awarded is Rs. 7,91,700/-. This Court finds that the amount is small amount and the application needs to be partly allowed by granting permission to withdraw further 50% of the amount alongwith accrued interest on furnishing usual undertaking to the satisfaction of Ld. Registrar, Judicial, of this Court.

6. With this, this Civil Application stands allowed and disposed off.

(KISHORE C. SANT)
JUDGE

mahajansb/