



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

12 CIVIL APPLICATION NO. 5774 OF 2024
IN FAST/20286/2022

Zumbarbai W/o Pralhad Gaikwad And Ors

VERSUS

The Ex. Engineer, Minor Irrigation Work M.i. Div. No. 1 Aurangabad And Ors

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Advocate for Applicant : Mr. Kamble Dinkar G.

AGP for Respondent 2 : Mrs. A.S. Mantri

Advocate for Respondent 1 : Mr. M.C. Swami

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CORAM : KISHORE C. SANT, J.

Dated : June 28, 2024

PER COURT :-

1. Heard the parties. This application is preferred for withdrawal of amount of compensation deposited by the appellant/Acquiring Body in the office of this Court along with interest. The applicants are claimants whose lands came to be acquired. The learned Reference Court has granted rate of Rs. 966/- per R. for the acquired land of 20 R. The Court has further granted compensation towards Mosambi trees along with interest under section 28 and 34 of Land Acquisition Act.
2. Considering that the compensation amount along with interest is deposited in this Court by the Acquiring Body and since, there is ground raised about the validation of the claim, this Court is inclined to allow the applicants to withdraw only 50% of the amount deposited by the appellant in this Court. Hence, the following order.

ORDER

- (i) Application is allowed. The applicants are entitled to receive 50% of the amount of their share on furnishing usual undertaking that in case, the appeal is allowed, they shall redeposit the amount in this Court.
- (ii) With this, the application stands disposed of.

(KISHORE C. SANT, J.)