



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO. 3386 OF 2024
IN FA/3202/2023

MALANBAI KISAN PARKHE

VERSUS

THE EXECUTIVE DIRECTOR GMIDC THROUGH THE
EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION NO 1
AND ORS

...

Advocate for Applicant : Mr. Hajare Abhishek Madhukar

Advocate for Respondent No. 1 : Mr. S.G. Bhalerao

AGP for Respondents/State : Mr. A.S. Shinde

...

AND

911 CIVIL APPLICATION NO. 3387 OF 2024
IN FA/3200/2023

PANDURANG RAYAJI PARKHE

VERSUS

THE EXECUTIVE DIRECTOR GMIDC THROUGH THE
EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION NO 1
AND ORS

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Advocate for Applicant : Mr. Hajare Abhishek Madhukar

Advocate for Respondent No. 1 : Mr. S.G. Bhalerao

AGP for Respondents/State : Mr. A.S. Shinde

...

CORAM : S. G. MEHARE, J.

DATE : 07th MAY, 2024.

PER COURT :

1. Heard the learned Counsel for the applicants respectively and the learned Counsel for the respondents.

2. The applicants have impugned the judgment and award of the reference Court mainly on the ground that the class of land was incorrectly considered and the sale instance, which was available with the Land Acquisition Officer, has not been considered and granted the time. He relief on the decision of the full Bench judgment reported in **State of Maharashtra vs. Kailash Shiva Rangari AIR 2016, Bom. 141.**

3. Learned Counsel for the applicants submits that in similarly situated matters the appellants have decided not to prefer appeal as it is not more than four times of the award. In such circumstances, the following order :

ORDER

- a) The applications are partly allowed.
- b) The respective applicants are allowed to withdraw of 75% of the amount deposited with this Court with proportionate interest on undertaking to re-deposit the money, if the impugned judgment and award is reversed.

(S. G. MEHARE)
JUDGE

mahajansb/