



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

**22 CIVIL APPLICATION NO. 6662 OF 2024
IN FA/789/2023**

**BALASAHEB BHIARU GODSE
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABAD AND ORS**

...
Advocate for Applicant : Mr. Patil Laxmikant C.
AGP for Respondents/State : Mr. D.B. Bhangе
Advocate for Respondent No. 3 : Mr. A.M. Gaikwad
...

AND

**25 CIVIL APPLICATION NO. 6681 OF 2024
IN FA/790/2023**

**NARAYAN S/O DHONDIBA JADHAV
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABAD**

...
Advocate for Applicant : Mr. Patil Laxmikant C.
AGP for Respondents/State : Mr S.K. Shirse
Advocate for Respondent No.3 : Mr. A.M. Gaikwad
...

CORAM : KISHORE C. SANT, J.

DATE : 09 JULY, 2024.

PER COURT :

1. Heard the parties.
2. These applications are for withdrawal of the amount of compensation deposited by the Acquiring Body in this Court, pursuant to the impugned judgment and award.
3. It is pointed out that learned SLAO had awarded compensation @ 360 per R which is enhanced to Rs. 2700/- per R by the learned Reference Court.
4. The applications are opposed by the learned Advocate Mr. Gaikwad stating that the enhancement is exorbitant as it is more than 8 to 9 times of the award by the SLAO.
5. Considering the fact that even the enhanced amount is only Rs. 2700/- per R and considering that the lands are acquired in the year 2006, this Court finds that the enhancement cannot be said to be exorbitant. For the reasons stated in the applications, this Court is inclined to pass following order :

ORDER

a) The applications are allowed and disposed off.

b) The applicants are allowed to withdraw 75% of the amount with accrued interest deposited in this Court on furnishing usual undertaking.

c) 25% of the amount be invested in fixed deposits any Nationalized Bank to be renewed from time to time till the disposal of the appeal/s.

**(KISHORE C. SANT)
JUDGE**

mahajansb/