



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8575 OF 2024 IN
FA/4333/2023 WITH
CIVIL APPLICATION NO. 8553/2024
IN FA/4335/2023

Rajabhau Ramlingh Kore & others .. Applicants

versus

The Executive Engineer
Minor Irrigation Division, Osmanabad .. Respondent

Mr. S. B. Chuodhari, Advocate for the Applicants.
Mr. K. B. Jadhavar, AGP for the State.
Mr. B. V. Virdhe, Advocate for Respondent No. 1.

CORAM : S. G. CHAPALGAONKAR, J.
DATE : 16th AUGUST, 2024.

PER COURT :

1. Heard learned counsel for respective parties.
2. The acquiring body has filed present appeals assailing the award passed by the Reference court under the provisions of Land Acquisition Act. The Reference Court enhanced the compensation amount from Rs. 605/- per R to Rs. 3,300/- per R. It appears that the Reference Court relied upon comparable sale instances and arrived at conclusion thereby raising compensation to the aforesaid figure. The acquiring body however,

objects the enhancement to be excessive. Considering the reasoning as adopted by the Reference Court and the grounds raised in the appeal memo, following order is passed :-

ORDER

- (i) Applicants are permitted to withdraw total 75% of the amount of compensation deposited by the acquiring body.
- (ii) 50% amount be released on furnishing usual undertaking with the Registrar (Judicial) of this Court.
- (iii) Rest of 25% amount be paid to the claimants on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.
- (iv) Civil Applications stand disposed of.

(S. G. CHAPALGAONKAR)
Judge

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2841 OF 2023 IN
FA/4333/2023 WITH
CIVIL APPLICATION NO. 4641/2023
IN FA/4335/2023

The Executive Engineer
Minor Irrigation Division Osmanabad .. Applicants

versus

Rajabhau Ramlingh Kore & others .. Respondents

Mr. B. V. Virdhe, Advocate for the Applicants.
Mr. S. B. Choudhari, Advocate for the claimants.
Mr. K. B. Jadhavar, AGP for the State.

CORAM : S. G. CHAPALGAONKAR, J.
DATE : 16th AUGUST, 2024.

PER COURT :

1. Mr. Virdhe, learned counsel for the acquiring body submits that the entire amount as per the award passed by the Reference Court is deposited with the Registry of this Court.

2. The statement is not controverted by learned counsel for the claimants.

3. Consequently, Civil Applications stand allowed in terms of prayer clause 'A'.

(S. G. CHAPALGAONKAR)
Judge

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