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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 CIVIL APPLICATION NO. 9808 OF 2024
IN FA/852/2023

AND

CIVIL APPLICATION NO. 9812 OF 2024
IN FA/853/2023

AND

CIVIL APPLICATION NO. 9810 OF 2024
IN FA/851/2023

AND

CIVIL APPLICATION NO. 9807 OF 2024
IN FA/850/2023

AND

CIVIL APPLICATION NO. 9806 OF 2024
IN FA/849/2023

AND

CIVIL APPLICATION NO. 9805 OF 2024
IN FA/847/2023

RAJKUMAR C. PATIL (DIED) THR LRS ROOPABAI AND ORS
.....Petitioner

VERSUS

EX. ENGINEER, MEDIUM PROJECT LATUR NOW LATUR MINOR
IRRI. DIV. LATUR UNDER GMIDC, AND ORS
.....Respondent

Mr. S. S. Chillarge, Advocate for the applicants
Mr. B. R. Surwase, Advocate for the respondent No.1
Mr. P. D. Patil, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 12th SEPTEMBER, 2024

P. C.

1. These applications are preferred for withdrawal of the amount of compensation deposited by the acquiring body-appellants in this court.

2. The learned advocate for the appellants Mr. Surwase, vehemently opposed the applications. He submits that the learned SLAO had granted compensation @ Rs.850 to Rs.1050/- per R. The learned reference court enhanced the amount @ Rs.5600/- for non irrigated land. So far as irrigated lands are concerned, compensation is enhanced to Rs.11,200/-. He submits that thus the amount of compensation is exorbitant.

3. Considering the argument and considering the fact, this court is inclined to pass the following order:-

ORDER

a] The applicants are permitted to withdraw 50%

(3)

907ca9808.24

of the amount deposited in this court alongwith accrued interest as per list annexed at Exh-R-1 on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court alongwith accrued interest. Remaining amount be kept in a fixed deposit in any nationalized bank to be renewed time to time till disposal of the appeal.

b] The applications are thus stand disposed off.

[KISHORE C. SANT, J.]

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