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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10172 OF 2024
IN
FIRST APPEAL NO.3494 OF 2022

Surajsing Bhagwansing Rajput and Others

APPLICANTS

VERSUS

Officer Incharge, Office of MIDC & Others

RESPONDENTS

.....
Mr. Chetan T. Jadhav, Advocate for the Applicants
Mr. R. B. Dhaware, AGP for Respondent - State
Mr. S. S. Dande, Advocate for Respondents No.1 and 2
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th DECEMBER, 2024

ORDER :

1. Heard.
2. This application is filed by the Applicants - claimants seeking modification of orders dated 14th June, 2024 and 12th August, 2024, thereby requesting that the applicants be permitted to withdraw the amount of compensation.
3. It is the contention of the applicants that when they went for withdrawal of the amount of compensation, Nazir Department has informed that since their shares are not apportioned, they cannot be permitted to withdraw the amount.

4. Learned advocate for the applicants, therefore, prays for modification of the orders. He states that he has calculated the shares of the applicants as per the amount of compensation disbursed by the Special Land Acquisition Officer, to the applicants.

5. Learned advocate for the Acquiring Body states that in fact the Reference Court ought to have apportioned the shares of the applicants, while passing the Judgment and Award impugned in the First Appeal.

6. The matter be sent to the Reference Court, which shall apportion the shares of the applicants, to which they are entitled to. The said exercise shall be carried out within six weeks from the date of receipt of the record. After the apportionment is done the matter be sent back to this Court.

[NITIN B. SURYAWANSHI]
JUDGE