

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

**921 CIVIL APPLICATION NO. 4960 OF 2025
IN FAST/14861/2020**

Duba Pratap Chavhan

VERSUS

The Collector Through The Special Land Acquisition Officer, M.i.w.
Jalgaon And Another

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Ms Sakshi Kale h/f Mr. Ajeet B. Kale - Advocate for Applicant

Mr. R. B. Dhaware - AGP for State

Mr. Prashant R. Nangre – Advocate for Respondent No. 2

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CORAM : NEERAJ P. DHOTE, J.

DATED : 06TH MAY 2025

PER COURT : -

1. This is the Application by the Original Claimant for withdrawal of the entire amount deposited by the Acquiring Body with this Court.

2. The learned Advocate for the Applicant submits that the enhancement made by the learned Reference Court is just five (5) times the compensation awarded by the Spl. Land Acquisition Officer. She submits that the Applicant has not received a single pai till date. She submits that this Court in connected Appeals arising out of the same acquisition proceedings and same Award, has permitted the similarly placed Claimants to withdraw 75% of the amount on furnishing usual undertaking by order dated 21.04.2025 passed in Civil Application No.4125 of 2025 and connected Applications. She submits that recently

the Acquiring Body has deposited the amount under the Award and therefore, the Application be allowed.

3. The Application is opposed by the learned Advocate for the Acquiring Body. He submits that, though the enhancement is five (5) times, the interest is granted from Section-4 Notification which ought to have been from the date of Award by the SLAO. Hence, he submits that the Application be rejected.

4. The learned AGP for the State submits that appropriate orders be passed.

5. Considering the above submissions, the Applicant is permitted to withdraw 75% of the amount along with Interest accrued thereon deposited by the Acquiring Body, subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The remaining 25% amount be deposited in Fixed Deposit in any Nationalized Bank on yearly basis which would be renewed from time to time till disposal of the Appeal. Application stands disposed off accordingly.

[NEERAJ P. DHOTE]
JUDGE