

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

935 CIVIL APPLICATION NO. 10990 OF 2024
IN FA/1938/2011

Umesh Raosaheb Gurme

Thr Its Poa Pramod Dilip Aradwad and Anr

..Applicants

Versus

The Vice Chancellor

Marathwada Agricultural University Parbhani

and Anr

..Respondents

.....

Shri. Vishwamber D. Gunale, Advocate for Applicants.

Smt. Uma S. Bhosale, AGP for the State in all the matters.

Shri. Eknath P. Sawant, Advocate for Respondent No.1

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WITH CIVIL APPLICATION NO. 10994 OF 2024 IN FA/1939/2011

WITH CIVIL APPLICATION NO. 10995 OF 2024 IN FA/1971/2011

WITH CIVIL APPLICATION NO. 10993 OF 2024 IN FA/1970/2011

WITH CIVIL APPLICATION NO. 10991 OF 2024 IN FA/1969/2011

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CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.

Dated : JANUARY 10, 2025

PER COURT :-

In all the Civil Applications :-

1. These are the Applications for directions to deposit remaining 50% of the amount of compensation by the Respondent No.1 - Acquiring Body and further to pass necessary orders for withdrawal of the same.

2. Heard the learned Advocate for the Applicants and the learned Advocate for the Respondent - Acquiring Body. It is not in dispute that

pursuant to the previous order of this Court, the Acquiring Body has deposited the remaining 50% amount which comes to Rs.5,59,19,477/-.

3. It is not in dispute that similarly situated Applicants – Orig. Claimants out of the same acquisition proceedings are permitted to withdraw the entire 100% amount of compensation by virtue of orders passed by the Hon'ble Apex Court.

4. Though the learned Advocate for the Respondent No.1 - Acquiring Body vehemently opposed the Application, we are of the view that the Applicants / Claimants are to be given similar treatment which is given to the other similarly placed claimants. Hence, we proceed to pass the following order.

ORDER

- (a) The Civil Applications are allowed.
- (b) The Respondent No.1 – Acquiring Body has deposited the remaining 50% amount, out of which the Applicants – Orig. Claimants are permitted to withdraw 50% amount with accrued interest thereon on submitting the Bank Guarantee and remaining 50% amount with interest accrued thereon on furnishing usual undertaking.
- (c) All Civil Applications stand disposed of accordingly.

In All the First Appeals :-

- 5. Both the sides agree that the Appeals be fixed for final hearing.
- 6. The First Appeals be fixed for final hearing on 31.01.2025.

7. The appearance of the Registrar of Respondent No.1, which was directed by this Court, is dispensed with.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP