



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 451 OF 2025

IN

FIRST APPEAL NO. 323 OF 2024

VIDC, Amravati

Vs.

Mohd Talha Ijjajuddin @ Mohammad Talha Ajazuddin Patel and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. M.H. Mahashabde, Advocate h/f Mr. U.A. Gosavi,
Advocate for applicant.

Mr. A.P. Deshmukh, Advocate for respondent No.1.

Mr. S.C. Joshi, AGP for respondent Nos.2 & 3/State.

CORAM : ROHIT W. JOSHI, J.

DATE : 12.02.2025.

The present application is moved by the respondent No.1, seeking permission to withdraw the amount deposited by the appellant with this Court, pursuant to the order, granting stay to the execution of the land acquisition award.

2. Perusal of the impugned judgment will demonstrate that the respondent No.1 had placed reliance upon eight sale transactions from Village Babhali, which according to him, is an adjoining village. The rate of lands as per the said sale-deeds appears to be between Rs.12 Lakhs to Rs.47 Lakhs per hectare. Apart from this, reliance is placed on one sale transaction dated

18.03.2013 from the same village i.e. Village Sanglud under which the acquiring body/VIDC has purchased land admeasuring 2.02 HR for consideration of Rs.22,30,080/-. The learned competent authority has awarded compensation @ Rs.9,50,000/- per hectare. The sale exemplar from the same village shows that land was purchased by VIDC @ Rs.11,04,000/- per hectare.

3. In view of the aforesaid, respondent No.1 is permitted to withdraw 75% of the amount deposited by the Appellant with this Court along with accrued interest. 50% of the amount is permitted to be withdrawn on furnishing usual undertaking and 25% amount is permitted to be withdrawn on furnishing solvent surety/security.

4. Civil application stands disposed of accordingly.

(ROHIT W. JOSHI, J.)