

ORDER BELOW EXH.30 IN R. C. S. NO.367/2023
VYANKURAM ASHOKRAO CHILME AND OTHERS VS.
HARISHANDRA GANGARAM CHILME AND OTHERS.
CNR NO.MHLA170001022023

Plaintiffs have filed application submitting that, they have objected for disbursal of compensation amount before the defendant No. 5 for land acquired in survey No. 34 ad-measuring 1700 Square meters situated at Budhoda for National Highway No.361. It is argued by the learned counsel for plaintiffs that, the Honourable High Court Bench at Aurangabad directed not to disburse compensation amount and to deposit the amount in the competent Civil Court. However the compensation amount is not deposited by defendant No.5. Hence, it is prayed by plaintiffs that defendant No. 5 be directed to deposit the said compensation amount in the Court as per directions of the Honourable High Court in Writ petition No.4245/2019 dated 02/04/2019.

2. This suit, L.A.R. No. 134/2019 and R.C.S. No. 348/2023 are consolidated together. Therefore, say filed by defendant No. 1 in L.A.R. No. 134/2019 to the application below Exh. 26 is considered say to this application. Defendant No. 1 has filed his say objecting this application on the grounds that, already compensation amount is disbursed. Hence, the purpose of application stands frustrated. Therefore, the application be rejected with cost.

3. Heard learned counsels for both the parties. Perused the record. In view of say filed by defendant No.1 there is no

documentary evidence to show that the compensation amount is disbursed. Hence, in view of directions issued by the Honourable High Court Bench at Aurangabad in Writ petition No.4245/2019 dated 02/04/2019, it is necessary to issue notice to defendant No. 5. Therefore, I pass following order:-

ORDER

1. The application is allowed.
2. Issue notice to defendant No. 5 (Sub-divisional Officer Ausa-Renapur and Competent Authority of Land Acquisition for National Highway 361) to deposit the compensation amount in the Court.
3. No order as to cost.

Date :- 05/12/2025.

(P. I. Mokashi)
Civil Judge Senior Division,
Ausa.