

**In the Court of Civil Judge Senior Division Ramtek, District-Nagpur**

LR Darkhast No. 4/2023  
Nathulal Vs. State & ors.

**ORDER BELOW EXH.28**

The Decree holder has filed an application to direct judgment debtor no.2 to deposit remaining compensation amount of Rs.31,78,197/- as per the judgment and decree passed in land reference case no.138/1999.

2] Ld. Advocate for the decree-holder has submitted that, decree holder had received an amount of Rs. 39,74,858/- under protest from judgment debtor no.2. But, this amount is less and judgment debtor no.2 should have paid Rs.71,53,055/- as per the judgment and decree. But, judgment debtor no.2 has failed to pay proper compensation amount therefore, necessary direction may be given.

3] On the other hand, judgment debtor no.2 has filed his reply below Exh.29 stating that entire amount has been paid as per judgment and decree. Therefore, there is no reason to pay difference amount to the decree holder.

4] Heard both sides. The decree holder has raised a point that, compensation amount has not been properly calculated and he had received less amount. It needs to mention here that, land acquisition act is a beneficial statute therefore, interest of land holder or affected person, who had lost their land for the purpose of acquisition, needs to be

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protected here. Thus, direction is required to be issued to the judgment debtor no.2 to recalculate compensation amount as per judgment and decree passed in LAR no.138/1999 and pay differentiate amount to the decree holder if any. Hence, I pass following order-

**ORDER**

1. The application is allowed.
2. The judgment debtor no.2 is directed to re-calculate compensation amount as per judgment and decree passed in LAR no.138/1999 and pay differentiate amount to the decree holder if any.
3. Both parties to note the order and comply immediately.

Ramtek  
Dated: 13/02/2025

(S. M. Sarode)  
Civil Judge Sr. Div.,  
Ramtek.