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

CIVIL APPLICATION NO. 7744 OF 2020

IN

FAST NO. 14968 OF 2020

**THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
JALGAON VERSUS KAUSHALYABAI GOVINDA PARDESHI AND ORS.**

WITH

CA/7740/2020 IN FAST/14963/2020, CA/7742/2020 IN FAST/14972/2020
CA/7748/2020 IN FAST/15341/2020, CA/7750/2020 IN FAST/02029/2020
CA/7747/2020 IN FAST/02025/2020, CA/7754/2020 IN FAST/15000/2020
CA/7752/2020 IN FAST/15003/2020, CA/7756/2020 IN FAST/15006/2020
CA/7803/2020 IN FAST/14600/2020, CA/7820/2020 IN FAST/14667/2020
CA/7800/2020 IN FAST/14611/2020, CA/7797/2020 IN FAST/14604/2020
CA/7809/2020 IN FAST/14652/2020, CA/7812/2020 IN FAST/14672/2020
CA/7823/2020 IN FAST/14677/2020, CA/7818/2020 IN FAST/14647/2020
CA/7806/2020 IN FAST/14686/2020, CA/7815/2020 IN FAST/14658/2020
CA/7825/2020 IN FAST/14662/2020, CA/7811/2020 IN FAST/14849/2020
CA/7805/2020 IN FAST/14843/2020, CA/7817/2020 IN FAST/14846/2020
CA/7830/2020 IN FAST/14924/2020, CA/7833/2020 IN FAST/14763/2020,
CA/7828/2020 IN FAST/14755/2020, CA/7836/2020 IN FAST/10264/2020,
CA/7839/2020 IN FAST/10255/2020, CA/7842/2020 IN FAST/10295/2020,
CA/7844/2020 IN FAST/10278/2020, CA/7845/2020 IN FAST/10292/2020,
CA/7854/2020 IN FAST/10288/2020, CA/7861/2020 IN FAST/10261/2020,
CA/7959/2020 IN FAST/10267/2020, CA/7848/2020 IN FAST/10258/2020,
CA/7849/2020 IN FAST/10284/2020, CA/7851/2020 IN FAST/10273/2020,
CA/7867/2020 IN FAST/01373/2020, CA/7869/2020 IN FAST/38350/2020,
CA/7873/2020 IN FAST/38357/2020, CA/7872/2020 IN FAST/14927/2020,
CA/7875/2020 IN FAST/14930/2020, CA/7880/2020 IN FAST/15015/2020,
CA/7878/2020 IN FAST/15012/2020

Mr.A.D. Pawar, Advocate for the applicants.

Mr.P.M. Kulkarni, AGP for the respondent/State.

CORAM : V.L.ACHLIYA, J.

DATED : 02.12.2020

P.C. :-

01. Heard.

02. In brief, it is contention of learned counsel



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for the applicants that the award passed by the Reference Court is not legally sustainable in law for the sole reason that the same has been passed contrary to the settled legal position. It is submitted that as against the law laid down by the Apex Court, the multiplier of 15 has been applied while determining the compensation of fruit bearing trees. Similarly, interest has been awarded from the date of Section 4 notification, which is contrary to the Full Bench judgment of this Court. Learned Counsel further submitted that the acquiring body is ready to deposit the amount to the extent of 50% of the award passed.

03. On due consideration of the submissions advanced, following order is passed :-

i. Issue notice to the respondents, returnable on 03.02.2021.

ii. Ad-interim relief in terms of prayer clause (B) till further orders, subject to deposit of amount to the extent of 50% of the award passed by the Reference Court within 12 weeks.

[V.L.ACHLIYA, J.]