

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).27265/2011

(From the judgement and order dated 03/02/2011 in FA No.90/2009,CA
No.136/2011 of The HIGH COURT OF BOMBAY AT AURANGABAD)

ACHUT BABURAO PANDHARE & ORS.

Petitioner(s)

VERSUS

MAHARASHTRA IND.DEV.CORPN & ANR.

Respondent(s)

(With office report)

Date: 05/12/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Mr. Anantbhushan Kanade, Sr. Adv.
Mr. K.V. Sreekumar,Adv.

For Respondent(s) Mr. Anil Shrivastav,Adv.

UPON hearing counsel the Court made the following
O R D E R

Leave granted.
Appeal is disposed of in terms of the signed
order.

(NAVEEN KUMAR)
COURT MASTER

(SHARDA KAPOOR)
COURT MASTER

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10850 OF 2011
(Arising out of SLP(C) No. 27265 of 2011)

ACHUT BABURAO PANDHARE & ORS.

Appellant(s)

VERSUS

MAHARASHTRA IND.DEV.CORPN & ANR.

Respondent(s)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties to the lis.
3. This appeal is directed against the order dated 03/02/2011 passed by the High Court of Judicature at Bombay,

Bench at Aurangabad in Civil Application No. 136 of 2011 in
First Appeal No. 90 of 2009.

4. By the impugned order, the High Court has rejected the
reasonable prayer made by the appellants herein.

5. Having heard the learned counsel for the parties, we are
of the opinion that the prayer made by the appellants requires
to be granted. Accordingly, we pass the following order -

We direct that the 50% of the enhanced compensation granted
to the appellants shall be released without security
whereas balance of 50% shall be released to them on
furnishing security to the satisfaction of the Collector.

6. The appeal is disposed of accordingly.

.....J.
[H.L. DATTU]

.....J.
[CHANDRAMAULI KR. PRASAD]

New Delhi
December 05, 2011.