



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

**933 CIVIL APPLICATION NO. 6200 OF 2026
IN FAST/24768/2025**

**1 Limba Patilba Kakade Died Throught Its Lrs A Kakasaheb Limba
Kakade And Ors**

....Applicant

VERSUS

Maharashtra Industrial Development Corporation

.....Respondent

WITH

**CIVIL APPLICATION NO. 8805 OF 2025
IN FAST/24768/2025**

WITH

**CIVIL APPLICATION NO. 8806 OF 2025
IN FAST/24768/2025**

WITH

**CIVIL APPLICATION NO. 8804 OF 2025
IN FAST/24768/2025**

WITH

**CIVIL APPLICATION NO. 6201 OF 2026
IN FAST/24768/2025**

Mr. S. N. Rodege, Advocate for the applicants/claimant

Mr. G. S. Khaire, Advocate h/f Mr. S. S. Dande, Advocate for the
respondent/Appellant

Mrs. Vaishali Chaudhary, AGP for the respondents/State

CORAM : MANJUSHA DESHPANDE, J.

DATE : 14th AUGUST, 2026

PER COURT :

1. This Application has been filed by the Applicants who are
claimants before the learned Reference Court.

2. Learned Advocate for the Applicants submitted that the Acquiring Body has filed Appeal against the order of learned reference Court which is pending before this Court and this Court had directed to deposit the entire compensation amount vide order dated 14-08-2025. Hence, this Application is filed by the Applicants/Claimants for withdrawal of the amount deposited by the Acquiring Body. It is submitted that the amount is separately deposited for each of the claimants/applicants by the Acquiring Body which is at page Nos. 13 and 15 of the present Application. Therefore, there is no impediment in separately withdrawing the said amount. Hence, the Application for withdrawal of the amount is allowed on following conditions.

3. The Legal heirs of Applicant Nos. 1 and Applicant No. 3 are permitted to withdraw 50% of the amount deposited in the office of this court alongwith accrued interest on furnishing usual undertaking and 25% of the amount is allowed to withdraw on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court.

4. In view of above, the Application is disposed of.

5. So far as Applicant No. 2 is concerned it is informed that the Applicant No. 2 has expired and therefore, he does not press the Application so far as Applicant No. 2.

CA/8805/2025

1. This Application has been filed by the Acquiring Body for condonation of 2591 days caused in filing the Appeal.

2. The learned Advocate for the Applicant/Appellant submitted that the Acquiring Body was not party Respondent before the learned Reference Court. After getting knowledge about the judgment and award passed by the learned Reference Court, the steps were required to be taken by the Acquiring Body for filing the Appeal, in which some time was consumed. Therefore, the delay of 2591 days has occurred in filing the Appeal.

3. In view of explanation given by the Applicant/Appellant and since the delay is neither intentional nor deliberate, the Application is allowed in terms of prayer clause-A. The delay of 2591 days is condoned.

4. Office to register the Appeal.

CA/8804/2025

1. This Application is filed by the Applicant/Appellant seeking leave to file Appeal against the judgment and award passed by

the learned CJSD, Aurangabad in LAR No. 231/2000 dated 30-04-2010.

2. It is submitted by the learned Advocate for the Applicant/Appellant that though it was necessary for the claimants to add the Acquiring Body as a party Respondent in the reference Court, the Acquiring Body was not added as a party Respondent to the reference.

3. Leave is granted and the Application is allowed in terms of prayer clauses-B.

4. Since there is a separate Application for stay, the prayer clause-C is not pressed.

5. The Application is disposed of.

CA/8806/2025

1. This Court while issuing notice had granted stay to the impugned judgment and award passed by the learned Reference Court vide order dated 14-08-2025 subject to deposit of amount with accrued interest, which is accordingly deposited by the Acquiring Body.

2. Since the amount is already deposited in this Court, the Application for stay is allowed. The interim relief, granted by this Court shall continue to operate till disposal of the Appeal.

3. The Application is disposed of.

CA/6201/2026

1. This is an Application for bringing LR's of Respondent Nos. 2, 5-B and 5-C on record.

2. Leave is granted.

3. The Application is allowed in terms of prayer clause-C.

4. The Applicants shall carryout the necessary amendment to bring the legal heirs of Respondent Nos. 2, 5-B and 5-C on record within a period of two weeks.

5. The delay occurred in filing the Application is condoned.

[MANJUSHA DESHPANDE, J.]

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