

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO. 10620 OF 2014
IN FAST/27874/2014 WITH CA/10621/2014 IN
FAST/27874/2014

BHAGIRATHIBAI PANDU PATIL, DIED THROUGH LRS.
BHALERAO VINAYAK PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr.V.B.Patil, advocate for applicants/appellants

Mr.S.M.Jadhav, AGP for respondent no.1 - State

Ms.Chaitali Kutti, advocate for respondent no.2

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CORAM : M.T. JOSHI, J.

DATE : FEBRUARY 24, 2015

PER COURT :

Heard both sides.

2] For the reasons stated in the application, the delay of 60 days caused in filing the appeal is condoned. The application is allowed.

C.A. NO.10621/2014 (FOR STAY) :

3] Considering the challenge in the appeal, the interim stay to the execution of the impugned award granted earlier, is hereby made absolute on the same terms and conditions. The application is allowed and disposed of as such.

F.A. [ST] NO.27874/2014 :

4] Upon hearing both sides, it appears that the dispute regarding the entitlement to receive the amount, is between the appellants and respondent nos.3 to 7 only. Respondent nos.1 and 2 i.e. State and the Executive Officer of the acquiring body, have no role to play.

5] In the circumstances, the appeal is **admitted** as against respondent nos.3 to 7 only.

6] Call Record and Proceedings.

7] Printing of the paper book is dispensed with.

8] Learned A.G.P. for respondent no.1 and Ms.Kutti, learned counsel for respondent no.2 are discharged. Office to make necessary corrections.

[M.T. JOSHI, J.]

kbp