

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

51 CIVIL APPLICATION NO. 13843 OF 2016
IN FAST/372/2014 WITH CA/4558/2014 IN
FAST/372/2014 WITH CA/4560/2014 IN FAST/552/2014
WITH CA/4562/2014 IN FAST/547/2014 WITH
CA/4564/2014 IN FAST/539/2014 WITH CA/4566/2014
IN FAST/524/2014 WITH CA/4568/2014 IN
FAST/518/2014 WITH CA/13844/2016 IN FAST/552/2014
WITH CA/13846/2016 IN FAST/547/2014 WITH
CA/13848/2016 IN FAST/539/2014

WAGHAMBAR DEVRAO MORE AND ANR
VERSUS
THE EXECUTIVE ENGINEER, LATUR MINOR IRRIGATION
DIVISION, LATUR AND ANR

...

Advocate for Applicants : Mr. Patil Mahesh S.
Mr. UP Giri For R/1
Mr. AM Phule, AGP for Respondent:2

CORAM : P.R.BORA, J.

DATE : 17th October, 2016.

PER COURT :

- 1) Heard learned Counsel for the applicants and learned Counsel appearing for the acquiring body.
- 2) Considering the contentions raised in the application for withdrawal of amount and the objections raised by the acquiring body in the memo of appeal in exception to the Award impugned

in the present appeals, I deem it appropriate to pass the following order, -

ORDER

i) The applicants in respective applications are permitted to withdraw 50% of the amount deposited by the acquiring body in this court on submitting an undertaking that in the event any adverse order is passed against them in the appeals, they will re-deposit the amount within four months of passing such order;

ii) The applicants are further permitted to withdraw balance 50% amount on furnishing bank guarantee in the like amount of any nationalized or scheduled bank.

iii) The Civil Applications for withdrawal of the amount are partly allowed and disposed of.

3) Delay of 451 days has occurred in filing the present appeals. Though the learned Counsel appearing for the original claimants has opposed for condoning the delay, for the reasons stated

in the applications, which according to me are just and sufficient, the delay is condoned. The appeals be registered in accordance with law. CA for condonation of delay are disposed of.

4) Issue notice to respondents in the appeals, returnable on 24.11.2016. learned Counsel and learned AGP waive service for the respective respondents.

. Place all these matters for admission on 24.11.2016.

(P.R.BORA)
JUDGE

bdv/