

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

965 CIVIL APPLICATION NO. 2022 OF 2017
IN FA/1468/2016 WITH CA/9128/2015 IN FA/1468/2016

DEVIDAS FAKIRJI BARASKAR AND OTHERS
VERSUS
REGIONAL OFFICER MIDC LATUR AND ANR

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Advocate for Applicants : Mr. Deshmukh Sachin S.
AGP for Respondent 2 : Mrs.R.P.Gour
Advocate for Respondent 1 : Mr.S.S. Dande

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966 CIVIL APPLICATION NO. 2023 OF 2017
IN FAST/19954/2015 WITH CA/9129/2015 IN
FAST/19954/2015 WITH CA/9131/2015 IN
FAST/19954/2015

MUKTARAM SITARAM BARASKAR
VERSUS
REGIONAL OFFICER MIDC LATUR AND ANR

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Advocate for Applicant : Mr.Deshmukh Sachin S.
AGP for Respondent 2 : Mrs.A.V. Gondhalekar
Advocate for Respondent 1 : Mr.S.S.Dande

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973 CIVIL APPLICATION NO. 2704 OF 2017
IN FA/227/2016 WITH CA/16254/2015 IN FA/227/2016

DIGAMBAR KESHAVRAO KULKARNI DIED THR LRS KAMAL
DIED RAMESH AND OTHERS
VERSUS

REGIONAL OFFICER, M.I.D.C, LATUR AND ANR

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Advocate for Applicants : Mr.Deshmukh Sachin S.
AGP for Respondent 2 : Mr.S.B. Joshi
Advocate for Respondent 1 : Mr.S.S. Dande

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CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.
DATED : February 24, 2017.

ORDER :

Civil Application No. 9129/2015 is filed for condonation of delay of 106 days caused in filing the appeal by Acquiring Body. Both the sides are heard. In view of the contentions made in the application and the submissions made, this Court holds that delay is sufficiently explained. The application is allowed. Delay is condoned.

2. The appeal is **admitted**. Notice in appeal is waived by Shri. Deshmukh for the original claimants and the learned A.G.P. for the State.

3. In civil applications filed for withdrawal of amount in aforesaid matters, both the sides are heard. A copy of the order made by this Court in Civil Application No. 9686/2016 in First Appeal Stamp No. 3981/2016 with connected matters is produced. Submission is made that in

that matter this Court has made the order and permission is granted. As the matter is from the same Project under same acquisition, the following order is made.

O R D E R

The present applications filed for withdrawal of compensation amount are allowed. Only 50% amount out of total compensation is to be released in favour of applicants, original claimants subject to condition that applicants give undertaking in respect of 25% amount of compensation and furnish bank guarantee in respect of 25% amount of compensation. Remaining 50% amount is to be kept in fixed deposit as per the procedure. The applications are disposed of in those terms. Stay applications are also disposed of.

[SANGITRAO S. PATIL, J.] [T.V. NALAWADE, J.]

ssc/