

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 CIVIL APPLICATION NO. 1930 OF 2017
IN FAST/23946/2013 WITH CA/12761/2013 IN FAST/23946/2013
WITH CA/12762/2013 IN FAST/23946/2013 WITH CA/12763/2013
IN FAST/23952/2013 WITH CA/12764/2013 IN FAST/23952/2013
WITH CA/12765/2013 IN FAST/23955/2013 WITH CA/12766/2013
IN FAST/23955/2013 WITH CA/12767/2013 IN FAST/23942/2013
WITH CA/12768/2013 IN FAST/23942/2013 WITH CA/1931/2017
IN FAST/23955/2013 WITH CA/1933/2017 IN FAST/23952/2013
WITH CA/1936/2017 IN FAST/23942/2013

GOPABAI BUDHA DHINDALE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, VARGA -1, URDHVA PRAVARA DHARAN
VIBHAG-2, AKOLE AND ANR

...
Advocate for Applicants : Bide Dnyaneshwar A
AGP for Respondents : B.V. Virde
Advocate for Respondents : R.c. Patil For R/1
...

CORAM : V.K. JADHAV, J.
DATE : 10-02-2017.

P.C. :

1. Heard both the sides. In view of the order passed by this court on 08.02.2016 in connected appeals, and since the learned appearing for the acquiring body has no objection, if the applicant original claimants are permitted to withdraw the amount as per the order passed by this court on 08.02.2016. The applicants are permitted to withdraw 75% of the amount on furnishing undertaking to the satisfaction of the Registrar (Judicial). Remaining 25% of the amount be invested in F.D.R. in any nationalised bank initially for a period of three years and renewal thereafter as per directions of this court. Civil application is

accordingly disposed of.

2. Heard both the sides. The learned for the applicants submits that due to administrative difficulties the appeal could not be filed within limitation and therefore the delay of 509 days has occurred in filing the appeals. The learned counsel for the respondent original claimants has not resisted the application seriously. In view of the above submission and for the reasons stated in the civil applications, delay of 509 days caused in filing the first appeals is hereby condoned. Civil applications are allowed and are accordingly disposed of.

3. Heard. Issue notice to the respondents, returnable on 24.03.2017. Learned counsel Shri Bide Dnyaneshwar A, waives for respondent-original claimants, learned A.G.P. waives for respondent state.

(V.K. JADHAV)
JUDGE