

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

56 WRIT PETITION NO.7553 OF 2019

MARUTI BABAN GADILKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

58 WRIT PETITION NO.7562 OF 2019

YASHWANT BHAU GADILKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Mr. M.R.Sonwane, Advocate for Petitioners.

Mr. S.N.Kendre, Mr. A.M.Phule, AGPs for Respondents-State.

Mr. S.S.Dande, Advocate for Respondent No.3.

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**CORAM : S.V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 24th June, 2019

PER COURT :-

1. Mr. Sonawane, the learned counsel submits that the petitioners had filed a reference under Section 34 of the M.I.D.C. Act. The same is rejected on the ground that the deficit court fees is not paid within time. The learned counsel submits that because of the weak financial condition, the court fees could not be deposited in time. The learned counsel undertakes to deposit the court fees within a period of four weeks.

2. Mr. Dande, the learned counsel accepts notice for respondent No.3, the respective learned AGPs accept notice for Respondent Nos.1 and 2.

3. The reference has not been sent by the authority as the Court Fee is not deposited. The petitioners are expected to deposit the court fees.

4. The petitioners shall deposit the court fees within a period of four weeks from today along with the certified copy of the award. If the petitioners pay / deposit the deficit court fees within a period of four weeks, then the reference be registered and proceeded further in accordance with law. The petitioners have also undertaken that the petitioners would not claim statutory benefits from the date of award till the deposit of the court fees with the authority, in case, the petitioners are granted enhanced compensation.

5. With these observations, the Writ Petitions are disposed of.

(MANGESH S. PATIL, J.) (S.V. GANGAPURWALA, J.)

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vmk/-