

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1947 OF 2020
IN
WRIT PETITION NO. 9887 OF 2015**

Namdev Kashinath Kadam	Applicant
<u>in the matter between</u>	
Bharat Dagadu Kadam & Ors.	Petitioners
Versus	
Deputy Collector (Acquisition) Raigad Alibaug & Ors.	...Respondents

Mr. Swapnil Mhatre i/b Mr. S. S. Kulkarni for the Petitioners.
Smt. Ashwini A. Purav, AGP for the State-Respondent.

**CORAM : A.A. SAYED AND
SURENDRA P. TAVADE, JJ.**

DATE : 21 DECEMBER 2020

P.C. :

1. Learned Counsel for the Applicant/Petitioner No.6 states that the Applicant/Petitioner No.6 owns other lands also, which are subject matter of the Petition. He state that the present Interim Application is confined to the land bearing Survey No.9 admeasuring 0-26-0. The Civil Application is taken out for the following reliefs:

“(a) That the word ‘Patil’ is deleted and substituted by the word ‘Kadam’ from the cause title in respect of the Petitioner No.6 and the record be corrected accordingly.

(b) That the interim stay granted by this Hon’ble Court with regard to the lands bearing Survey No.9 admeasuring 0-26-0, more particularly described at Sr.No.9 in Exh.’A’ to the Petition, be kindly vacated and the Petitioner be permitted to withdraw the compensation amount with regard to the said Survey number as per the award at Exh ‘B’”.

2. In other similar Civil Applications orders have been passed allowing the Civil Applications viz. Order dated 25 April 2019 in Civil Application No.2635 of 2018 in Writ Petition No.9885 and connected matters and order dated 28 August 2019 in Civil Application No.2341 of 2019 in Writ Petition No.9882 of 2015.
3. Following the said orders, we allow the present Civil Application in terms of prayer clause (b), subject to the Applicant handing over possession of the subject land bearing Survey No.9 admeasuring 0-26-0 to the Respondents. Amendment to be carried out within two weeks from today.
4. We also allow the amendment as prayed in prayer clause (a). Amendment to be carried out within a week.
5. The Civil Application to stand disposed of accordingly.

(SURENDRA P. TAVADE, J.)

(A.A. SAYED, J.)