

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO.8158 OF 2021

IN FA/1373/2021 WITH CA/9883/2021 IN FA/1409/2021 WITH
CA/8201/2021 IN FA/1407/2021 WITH CA/9872/2021 IN
FA/1396/2021 WITH CA/9873/2021 IN FA/1372/2021 WITH
CA/9874/2021 IN FA/1368/2021 WITH CA/8167/2021 IN
FA/1381/2021 WITH CA/8183/2021 IN FA/1397/2021 WITH
CA/8136/2021 IN FA/1357/2021 WITH CA/8138/2021 IN
FA/1358/2021 WITH CA/8140/2021 IN FA/1359/2021 WITH
CA/8141/2021 IN FA/1360/2021 WITH CA/8143/2021 IN
FA/1361/2021 WITH CA/8144/2021 IN FA/1362/2021 WITH
CA/8145/2021 IN FA/1363/2021 WITH CA/8146/2021 IN
FA/1364/2021 WITH CA/8147/2021 IN FA/1365/2021 WITH
CA/8148/2021 IN FA/1366/2021 WITH CA/8149/2021 IN
FA/1367/2021 WITH CA/8150/2021 IN FA/1368/2021 WITH
CA/8151/2021 IN FA/1369/2021 WITH CA/8152/2021 IN
FA/1370/2021 WITH CA/8153/2021 IN FA/1371/2021 WITH
CA/8154/2021 IN FA/1372/2021 WITH CA/8159/2021 IN
FA/1374/2021 WITH CA/8160/2021 IN FA/1375/2021 WITH
CA/8161/2021 IN FA/1376/2021 WITH CA/8162/2021 IN
FA/1377/2021 WITH CA/8163/2021 IN FA/1378/2021 WITH
CA/8164/2021 IN FA/1380/2021 WITH CA/8165/2021 IN
FA/1379/2021 WITH CA/8168/2021 IN FA/1382/2021 WITH
CA/8169/2021 IN FA/1383/2021 WITH CA/8170/2021 IN
FA/1384/2021 WITH CA/8171/2021 IN FA/1385/2021 WITH
CA/8172/2021 IN FA/1386/2021 WITH CA/8173/2021 IN
FA/1388/2021 WITH CA/8174/2021 IN FA/1387/2021 WITH
CA/8175/2021 IN FA/1390/2021 WITH CA/8176/2021 IN
FA/1389/2021 WITH CA/8177/2021 IN FA/1391/2021 WITH
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CA/8182/2021 IN FA/1394/2021 WITH CA/8184/2021 IN
FA/1396/2021 WITH CA/8185/2021 IN FA/1398/2021 WITH
CA/8186/2021 IN FA/1400/2021 WITH CA/8187/2021 IN
FA/1399/2021 WITH CA/8191/2021 IN FA/1401/2021 WITH
CA/8193/2021 IN FA/1402/2021 WITH CA/8194/2021 IN
FA/1403/2021 WITH CA/8196/2021 IN FA/1404/2021 WITH
CA/8199/2021 IN FA/1406/2021 WITH CA/8200/2021 IN

FA/1405/2021 WITH CA/8202/2021 IN FA/1408/2021 WITH
CA/8203/2021 IN FA/1409/2021 WITH CA/8206/2021 IN
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CA/9800/2021 IN FA/1373/2021 WITH CA/9798/2021 IN
FA/1387/2021 WITH CA/9799/2021 IN FA/1420/2021 WITH
CA/9801/2021 IN FA/1385/2021 WITH CA/9802/2021 IN
FA/1371/2021 WITH CA/9803/2021 IN FA/1370/2021 WITH
CA/9804/2021 IN FA/1376/2021 WITH CA/9805/2021 IN
FA/1400/2021 WITH CA/9806/2021 IN FA/1408/2021 WITH
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CA/9842/2021 IN FA/1375/2021 WITH CA/9843/2021 IN
FA/1357/2021 WITH CA/9816/2021 IN FA/1365/2021 WITH
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CA/9830/2021 IN FA/1367/2021 WITH CA/9831/2021 IN
FA/1412/2021 WITH CA/9834/2021 IN FA/1383/2021 WITH
CA/9835/2021 IN FA/1405/2021 WITH CA/9836/2021 IN
FA/1406/2021 WITH CA/9837/2021 IN FA/1382/2021 WITH
CA/9838/2021 IN FA/1393/2021 WITH CA/9839/2021 IN
FA/1384/2021 WITH CA/9840/2021 IN FA/1388/2021 WITH
CA/9841/2021 IN FA/1360/2021 WITH CA/9844/2021 IN
FA/1415/2021 WITH CA/9846/2021 IN FA/1386/2021 WITH
CA/9847/2021 IN FA/1359/2021 WITH CA/9848/2021 IN
FA/1403/2021 WITH CA/9851/2021 IN FA/1379/2021 WITH
CA/9853/2021 IN FA/1395/2021 WITH CA/9854/2021 IN
FA/1377/2021 WITH CA/9855/2021 IN FA/1358/2021 WITH
CA/9858/2021 IN FA/1378/2021 WITH CA/9860/2021 IN

FA/1418/2021 WITH CA/9861/2021 IN FA/1389/2021 WITH
CA/9863/2021 IN FA/1380/2021 WITH CA/9864/2021 IN
FA/1398/2021 WITH CA/9865/2021 IN FA/1410/2021 WITH
CA/9866/2021 IN FA/1362/2021 WITH CA/9867/2021 IN
FA/1407/2021 WITH CA/9875/2021 IN FA/1366/2021 WITH
CA/9876/2021 IN FA/1361/2021 WITH CA/9877/2021 IN
FA/1417/2021 WITH CA/9878/2021 IN FA/1391/2021 WITH
CA/9879/2021 IN FA/1364/2021 WITH CA/9880/2021 IN
FA/1374/2021 WITH CA/9881/2021 IN FA/1397/2021

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIVISION- 2,
JALGAON AND ANOTHER
VERSUS
CHANDRAKANT SITARAM PATIL AND OTHERS

WITH
912 CIVIL APPLICATION NO.1650 OF 2021
IN FA/183/2021 WITH CA/9862/2021 IN FA/183/2021

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIVISION- 2,
JALGAON AND ANOTHER
VERSUS
KASHINATH TUKARAM KOLI AND OTHERS

WITH
913 CIVIL APPLICATION NO.1652 OF 2021
IN FAST/5840/2020 WITH CA/9829/2021 IN FAST/5840/2020 WITH
CA/1653/2021 IN FAST/5840/2020

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIVISION- 2,
JALGAON AND ANOTHER
VERSUS
ARPANA VASANT PATIL AND OTHERS

WITH
914 CIVIL APPLICATION NO.1654 OF 2021
IN FA/184/2021 WITH CA/9882/2021 IN FA/184/2021

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIVISION- 2,
JALGAON AND ANOTHER

VERSUS
RAMDAS CHINDHU SONAWANE AND OTHERS

WITH
915 CIVIL APPLICATION NO.1657 OF 2021
IN FAST/5845/2020 WITH CA/1659/2021 IN FAST/5845/2020 WITH
CA/9832/2021 IN FAST/5845/2020

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIVISION- 2,
JALGAON AND ANOTHER
VERSUS
SHOBHA ASHOK KASAT AND OTHERS

WITH
916 CIVIL APPLICATION NO.1660 OF 2021
IN FA/185/2021 WITH CA/9827/2021

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIVISION- 2,
JALGAON AND ANOTHER
VERSUS
ASHOK KAREEM PATEL AND OTHERS

WITH
917 CIVIL APPLICATION NO.1671 OF 2021
IN FA/189/2021 WITH CA/1669/2021 IN FA/188/2021 WITH
CA/9871/2021 IN FA/187/2021 WITH CA/9884/2021 IN FA/189/2021
WITH CA/1673/2021 IN FA/187/2021 WITH CA/9857/2021 IN
FA/188/2021 WITH CA/9869/2021 IN FA/186/2021 WITH
CA/1666/2021 IN FA/186/2021

THE EX. ENGINEER, GIRNA CANNEL RENOVATION DIV. 2 JALGAON
VERSUS
HARISH @ HARI BHALCHANDRA PATIL AND OTHERS

Mr.A.D.Pawar, Advocate for the applicants.
Mr.A.B.Kale, Advocate for respondent Nos. 1.1 to 1.2
Mr.S.R.Yadav, AGP for respondent Nos. 2 and 3.
Mr.S.B.Pulkundwar, AGP for State.
Mr.PS.Patil, AGP for State.

(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)

DATE : SEPTEMBER 22, 2021

PER COURT :

1. On 18/08/2021, we had passed a conditional order directing the appellants/applicants to deposit only 25% of the total award amounts granted by the Reference Court. We granted almost 5 weeks' time till 21/09/2021 to enable the applicants to deposit the said amount. It is informed that 25% of the awarded compensation would be approximately Rs.35,36,00,000/-.

2. The learned Advocate for the claimants submits that the appellants are merely enjoying the conditional order, without complying with the directions of depositing 25% of the amount. Actually, the appellants should have been directed to deposit 50% of the amount. The claimants are poor agriculturists and even if they get some money as an interim measure, they would be satisfied keeping in view that their lands alongwith fruiting trees, which were the only source of income, have been acquired years ago. Though awards have been delivered in 2019, no payment is made. He, therefore, submits

that the appellants be directed to deposit the said amount in 15 days.

3. The learned Advocate for the appellants has taken instructions from Mr.B.K.Shinde, Legal Adviser, Tapi Irrigation Development Corporation, who is present in the Court and submits that in 8 days time, he would deposit an amount of Rs.5 crores and the remaining amounts are likely to be deposited by 4 weeks. The learned Advocate for the claimants does not agree to this proposal keeping in view that this Court had been magnanimous to the applicants by directing deposit of only 25% when the claimants were praying for at least 50% of the amount.

4. In view of the above, all these civil applications for extension of time and for stay, are rejected. Consequentially, the interim relief, granted earlier, stands vacated.

5. We make it clear that if the appellants/applicants have the funds to deposit the amounts as directed earlier by the Court within the coming fortnight, they would be at liberty to approach this Court with fresh civil applications with deposit of an amount as directed earlier, i.e.

25%. In such situation, we may consider granting of interim relief.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)