

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

916 CIVIL APPLICATION NO.7764 OF 2021
IN FA/1430/2021

MULAJI KESHAV PATEL AND ORS

VERSUS

EXECUTIVE ENGINEER, MAHARASHTRA
INDUSTRIAL DEV. CO., JALGAON AND OTHERS

...

Advocate for Applicants : Mr A.B. Kale
Advocate for Respondent No. 1 : Ms Ashwini R. Mate i/by Jay and Company
AGP for Respondent Nos. 2 and 3 /State : Mr N.T.Bhagat

AND

924 CIVIL APPLICATION NO.1167 OF 2022
IN FA/649/2020

WALHA BAPU TAMBE (DIED) THR LRS
PRAKASH WALHA @ WALMIK TAMBE

VERSUS

THE S.L.A.O. SUB DIV. OFFICER, DIV. AND ORS

...

Advocate for Applicant : Mr A.B. Kale
AGP for Respondent No.1 /State : Mr A.B. Chate
Advocate for Respondent No. 3 : Ms Ashwini R. Mate i/by Jay and Company

AND

927 CIVIL APPLICATION NO.1997 OF 2022
IN FAST/17441/2019

NATTHU GANPAT CHAUDHARI (DIED)
THR LRS ANNA @ YASHWANT (DIED)
THR LRS KALABAI AND ORS

VERSUS

THE STATE OF MAHARASHTRA
THR COLLECTOR, JALGAON AND ORS

...

Advocate for Applicants : Mr A.B. Kale
AGP for Respondent Nos. 1 and 2 : Mr S.N. Morampalle
Advocate for Respondent No. 3 : Ms Ashwini R. Mate i/by Jay and Company

AND
941 CIVIL APPLICATION NO.1176 OF 2022
IN FA/644/2020

BHANUDAS VANJI @ VANA JAGTAP (DIED)
THR LRS MALUBAI AND ORS

VERSUS

THE BRANCH MANAGER, MIDC, JALGAON AND ORS.

...

Advocate for Applicants : Mr A.B. Kale
Advocate for Respondent No. 1 : Ms Ashwini R. Mate i/by Jay and Company
AGP for Respondent Nos. 2 and 3 : Mr N.T. Bhagat

AND
942 CIVIL APPLICATION NO.1072 OF 2022
IN FAST/16877/2019

RAJENDRA CHIMAN KOLHE (DIED)
THR LRS PRATIBHA AND ORS

VERSUS

THE STAE OF MAHARASHTRA THROUGH
COLLECTOR, JALGAON AND ORS.

...

Advocate for Applicants : Mr A.B. Kale
AGP for Respondent Nos. 1 and 2 : Mr S.N. Morampalle
Advocate for Respondent No. 3 : Ms Ashwini R. Mate i/by Jay and Company

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 22nd APRIL, 2022

PER COURT :

1. These are the applications for withdrawal of compensation amount moved by the respective applicants/claimants.
2. Heard Mr A.B. Kale, learned counsel for the applicants/claimants and Ms Ashwini R. Mate, learned counsel instructed by Jay and Company for the acquiring body and the learned AGPs in respective applications for the State.

3. Mr A.B. Kale, learned counsel for the applicants seeks leave to place on record copy of order passed by this Court in Civil Application No.1996/2022 in First Appeal Stamp No.40772/2019. Leave granted.
4. The copy of order is taken on record and marked 'X' for identification. He submitted that these applications are arising out of same project and group. He seeks similar order for withdrawal of amount.
5. Ms Ashwini R. Mate, learned counsel for the acquiring body fairly conceded the position of passing of earlier order by this Court referred above arising out of same project and notification.
6. The learned AGPs in respective applications for the State also fairly conceded this position.
7. I do not see any reason to take any different view. By taking the same view, I proceed to pass the following order :-

ORDER

- (i) The applications are hereby allowed.
- (ii) The applicants/original claimants are permitted to withdraw 50% of the amount of compensation on furnishing usual undertaking with the Registrar (Judicial) of this Court.
- (iii) The civil applications are accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)