

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

**CIVIL APPLICATION NO. 15259 OF 2019 IN
FIRST APPEAL ST. NO. 8995 OF 2017**

Kautilal Audumbar Kasab (died)
through his L. Rs. & another

Applicants

Versus

The State of Maharashtra & another

Respondents

Mr. A. S. More, advocate for the Applicants
Mr. S. R. Yadav Lonikar, AGP for Respondent No.1.
Mr. R. A. Tambe, advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 30th September, 2022.

PC :

Heard learned Counsel for respective parties.

The applicants are claiming withdrawal of entire amount of compensation under the impugned award, which has been deposited by the appellant-acquiring body.

However, in other similar matters, this Court had permitted withdrawal of 75% of the compensation amount and, therefore, same order will follow.

Accordingly, following order is passed:

- (i) The applicants are permitted to withdraw 50% of the deposited amount of compensation on usual undertaking.

(ii) The applicants are also permitted to withdraw 25% amount of the compensation amount on furnishing solvent surety/ security to the satisfaction of Registrar (J) of this Court.

Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO. 4989 OF 2017 IN
FIRST APPEAL ST. NO. 8995 OF 2017**

Executive Engineer,
Sina Kolegaon Project, Paranda,
District Osmanabad

Applicant

Versus

Kautilal Audumbar Kasab (died)
through L. Rs. & others

Respondents

Mr. R. A. Tambe, advocate for the Applicant
Mr. A. S. More, for Respondents No.1-2B to 1-2F & 2.
Mr. S. R. Yadav Lonikar, AGP for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 30th September, 2022.

PC :

By way of this application, the acquiring body, is seeking condonation of delay of 408 days which appears to be caused due to obtaining approvals at various stages. As such and for the reasons stated in the application, the delay of 408 days stands condoned.

The appeal be placed for admission after removal of office objections, if any.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

FIRST APPEAL ST. NO. 8995 OF 2017

Executive Engineer,
Sina Kolegaon Project, Paranda,
District Osmanabad

Appellant

Versus

Kautilal Audumbar Kasab (died)
through L. Rs. & others

Respondents

Mr. R. A. Tambe, advocate for the Appellant
Mr. A. S. More, for Respondents No.1-2B to 1-2F & 2.
Mr. S. R. Yadav Lonikar, AGP for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 30th September, 2022.

PC:

The learned AGP waives notice for Respondent No.3-State.

Mr. A. S. More, learned Counsel for the Respondents-original
claimants waives service in main appeal.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb