

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

(1) CIVIL APPLICATION NO.12540 OF 2021 IN
FIRST APPEAL ST. NO. 29986 OF 2021 WITH
(2) CIVIL APPLICATION NO. 12521 OF 2021 IN
FIRST APPEAL ST. NO. 29962 OF 2021 WITH
(3) CIVIL APPLICATION NO. 12542 OF 2021 IN
FIRST APPEAL ST. NO. 29992 OF 2021 WITH
(4) CIVIL APPLICATION NO. 12538 OF 2021 IN
FIRST APPEAL ST. NO. 29989 OF 2021 WITH
(5) CIVIL APPLICATION NO. 12517 OF 2021 IN
FIRST APPEAL ST. NO. 29968 OF 2021 WITH
(6) CIVIL APPLICATION NO. 12534 OF 2021 IN
FIRST APPEAL ST. NO.29940 OF 2021 WITH
(7) CIVIL APPLICATION NO. 12536 OF 2021 IN
FIRST APPEAL ST. NO. 29983 OF 2021 WITH
(8) CIVIL APPLICATION NO. 12519 OF 2021 IN
FIRST APPEAL ST. NO. 29965 OF 2021

Mr. S. C. Arora, advocate for the Applicants
Mr. V. V. Kabade, advocate holding for Mr. S. S.
Gangakhedkar, advocate for Respondent-claimants.
Mr. B. V. Virdhe, AGP for Respondent-State authorities.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

Heard rival submissions.

The applicant-acquiring body is seeking
condonation of delay periods, as mentioned in all these
applications, which appear to be caused due to obtaining

approvals at various stages. There is no strong objection from the side of respondents-claimants.

Hence, by considering the statutory right of the applicant, the delay periods mentioned in all these applications, stand condoned.

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

Civil Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

(1) CIVIL APPLICATION NO. 12541 OF 2021 IN
FIRST APPEAL ST. NO. 29986 OF 2021 WITH
(2) CIVIL APPLICATION NO.12539 OF 2021 IN
FIRST APPEAL ST. NO. 29989 OF 2021 WITH
(3) CIVIL APPLICATION NO. 12543 OF 2021 IN
FIRST APPEAL ST. NO. 29992 OF 2021 WITH
(4) CIVIL APPLICATION NO. 12537 OF 2021 IN
FIRST APPEAL ST. NO. 29983 OF 2021 WITH
(5) CIVIL APPLICATION NO. 12535 OF 2021 IN
FIRST APPEAL ST. NO. 29940 OF 2021 WITH

Mr. S. C. Arora, advocate for the Applicants
Mr. V. V. Kabade, advocate holding for Mr. S. S.
Gangakhedkar, advocate for Respondent-claimants.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

Since the appellant-acquiring body has deposited entire amounts of impugned awards in these applications, the applications are made absolute in terms of prayer clause “B” and disposed of accordingly.

Civil Applications are disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

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

**CIVIL APPLICATION NO. 12515 OF 2021 IN
FIRST APPEAL ST. NO. 29943 OF 2021**

The Executive Engineer,
Lift Irrigation Division,
Osmanabad & others

Applicants

Versus

Rajaram Raosaheb Gawhane

Respondent

Mr. S. C. Arora, advocate for the applicants.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

At the request of learned Counsel for the
acquiring body, stand over for taking steps against deceased
respondent, to 10.01.2023.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb

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

(1) CIVIL APPLICATION NO.13925 OF 2022 IN
FIRST APPEAL ST. NO. 29940 OF 2021 WITH
(2) CIVIL APPLICATION NO. 13922 OF 2022 IN
FIRST APPEAL ST. NO. 29989 OF 2021 WITH
(3) CIVIL APPLICATION NO. 13923 OF 2022 IN
FIRST APPEAL ST. NO. 29983 OF 2021 WITH
(4) CIVIL APPLICATION NO. 13924 OF 2022 IN
FIRST APPEAL ST. NO. 29992 OF 2021 WITH
(5) CIVIL APPLICATION NO. 13926 OF 2022 IN
FIRST APPEAL ST. NO. 29986 OF 2021 WITH

Mr. V. V. Kabade, advocate holding for Mr. S. S. Gangakhedkar, advocate for applicants-claimants.
Mr. S. C. Arora, advocate for Respondent No.1.
Mr. B. V. Virdhe, AGP for Respondent-State authorities.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06th December, 2022.

PC :

Heard rival submissions.

The respective applicants, in all these applications, are seeking withdrawal of entire amounts of compensation which have been deposited by the appellant-acquiring body.

However, the learned Counsel for the acquiring body strongly opposed the applications on the ground that the Reference Court has granted exorbitant compensation in

respect of fruit bearing trees and also on other counts, such as, cattle shed, etc.

Therefore, considering the objections raised by the learned Counsel for the acquiring body, the applicants, in all these applications, are permitted to withdraw only 50% of the deposited amounts of the impugned awards along with accrued interest thereon till date, on furnishing usual undertaking to the satisfaction of the Registrar (J) of this Court. The remaining amounts be deposited in FDR, in any Nationalised Bank, till disposal of these appeals.

Civil Applications are disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb