

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

**CIVIL APPLICATION NO. 16788 OF 2022 IN
FIRST APPEAL ST. NO. 21549 OF 2020**

Vishwanath s/o Dhondiba Gaikwad
died, through L. Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

Ms. L. R. Thakur, advocate holding for Mr. L. C. Patil,
advocate for the Applicants

Mr. S. R. Yadav Lonikar, AGP for Respondents No. 1 & 2.

Ms. S. D. Shelke, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 14th December, 2022.

PC :

The learned Counsel for the acquiring body
undertakes to carry out the amendment as per order dated
20.04.2022 today itself.

Heard rival submissions.

The applicants are seeking withdrawal of
compensation amount. In other connected matters, the
applicants therein are already permitted to withdraw 75% of

the deposited amount by this Court vide order dated 20.04.2022.

In view of the same, the applicants herein are permitted to withdraw 50% of the deposited amount along with accrued interest thereon by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The applicants are also permitted to withdraw 25% of the deposited amount along with the accrued interest thereon by furnishing solvent surety/security. The remaining 25% of the compensation amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 7935 OF 2020 IN
FIRST APPEAL ST. NO. 21549 OF 2020**

Executive Engineer, Patbandhare
Majabutikaran Division, Omerga
and others

Applicants

Versus

Vishwanath Dhondiba Gaikwad, (died)
through L. Rs.

Respondents

Ms. S. D. Shelke, advocate for the applicants.
Ms. L. R. Thakur, advocate holding for Mr. L. C. Patil,
advocate for the Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 14th December, 2022.

PC :

The learned Counsel for the applicant-acquiring
body has carried out the amendment as per the order dated
20.04.2022.

Heard rival submissions.

The applicant is seeking condonation of delay of
560 days which appears to be caused due to obtaining
sanctions at various stages. There is no strong oppose to the

application from the other side. Thus, delay of 560 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