

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

(1) FIRST APPEAL NO. 97 OF 2021

The Executive Engineer,
Hatnur Project Division, Chopda,
District Jalgaon.

Appellants

Versus

Madhukar s/o Hari Patil & others

Respondents

Mr. Subhash Chillarge, advocate for the Appellants
Mr. A. B. Kale, advocate for Respondent No.1.
Mr. B. V. Virdhe, AGP for Respondents No. 2 & 3.

WITH
(2) FIRST APPEAL NO. 122 OF 2021
WITH
(3) FIRST APPEAL NO. 126 OF 2021
WITH
(4) FIRST APPEAL NO. 107 OF 2021
WITH
(5) FIRST APPEAL NO. 129 OF 2021
WITH
(6) FIRST APPEAL NO. 137 OF 2021
WITH
(7) FIRST APPEAL NO. 138 OF 2021
WITH
(8) FIRST APPEAL NO. 139 OF 2021
WITH
(9) FIRST APPEAL NO. 98 OF 2021
WITH
(10) FIRST APPEAL NO. 99 OF 2021
WITH
(11) FIRST APPEAL NO. 111 OF 2021
WITH
(12) FIRST APPEAL NO. 112 OF 2021

WITH
(13) FIRST APPEAL NO. 114 OF 2021
WITH
(14) FIRST APPEAL NO. 121 OF 2021
WITH
(15) FIRST APPEAL NO. 100 OF 2021
WITH
(16) FIRST APPEAL NO. 101 OF 2021
WITH
(17) FIRST APPEAL NO. 102 OF 2021

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd November, 2022.

PC :

1 The learned Counsel for the acquiring body tendered across the bar, the communication dated 15.11.2022, issued to him by the Executive Engineer, Lower Tapi Project Division, Amalner – the acquiring body mentioning that these appeals be withdrawn since the compensation granted by the learned Reference Court is within the four times. Another communication dated 21.10.2022 has been issued by the Executive Engineer, Tapi Patbandhare Vikas Mahamandal, Jalgaon, to the acquiring body with the same request. Both the communications are taken on record and marked “X” collectively, for identification.

2 In view of the same, all these appeals stand disposed of as withdrawn. Court fees be refunded to the appellant-acquiring body as per rules.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 13242 OF 2022 IN
FIRST APPEAL NO. 111 OF 2021**

Subhash (Dhondu) Ratan Patil
and others

Applicants

Versus

The Executive Engineer,
Hatnur Project Division, Chopda,
District Jalgaon & others

Respondents

Mr. A. B. Kale, advocate for the Applicants
Mr. Subhash Chillarge, advocate for Respondent No.1.
Mr. B. V. Virdhe, AGP for Respondents No. 2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd November, 2022.

PC :

- 1 Heard rival submissions.
- 2 The applicants are seeking withdrawal of the entire deposited amount of compensation.
- 3 It appears that the acquiring body has deposited only 50% of the compensation granted under the impugned award. This Court, vide order dated 21st September, 2022 in other connected matters, has already permitted the

applicants therein to withdraw the entire 50% of amount of impugned award.

4 The learned Counsel for the appellant-acquiring body has already withdrawn this appeal along with other connected matters today itself.

5 As such, the applicants herein are permitted to withdraw the entire deposited amount of compensation along with accrued interest thereon till date.

6 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. 15667 OF 2022 IN
FIRST APPEAL NO. 111 OF 2021**

Subhash (Dhondu) Ratan Patil
and others

Applicants

Versus

The Executive Engineer,
Hatnur Project Division, Chopda,
District Jalgaon & others

Respondents

Mr. A. B. Kale, advocate for the Applicants
Mr. Subhash Chillarge, advocate for Respondent No.1.
Mr. B. V. Virdhe, AGP for Respondents No. 2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd November, 2022.

PC :

1 Heard rival submissions.

2 The applicants have filed this application for bringing on record legal heirs of deceased applicant no.2 (deceased respondent no.2 in the main appeal), who admittedly died on 10.08.2020, as per the copy of the death certificate annexed. The applicants have also prayed for condonation of delay of 141 days caused in filing this

application.

3 In view of the right to defend and by considering the reasons stated in the application, the Civil Application is allowed in terms of prayer clauses “B”and “C”. The appellant-acquiring body is directed to carry out the amendment forthwith.

4 Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb