

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

**CIVIL APPLICATION NO. 13511 OF 2022 IN  
CIVIL APPLICATION NO. 13829 OF 2021 WITH  
CIVIL APPLICATION NO. 13830 OF 2021  
FIRST APPEAL ST. NO. 11118 OF 2021**

Chabu Gena Kasab (died)  
through proposed L. Rs.

Applicants

Versus

The Executive Engineer,  
Sina Kolegaon Medium Project,  
Donga, Tq. Paranda & others

Respondents

Mr. P. S. Chavan, advocate for the Applicants  
Mr. S. G. Bhalerao, advocate for Respondent No.1.  
Mr. P. M. Kulkarni, AGP for Respondents No. 2 & 3.

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 17<sup>th</sup> October, 2022.**

**PC :**

Heard rival submissions.

The applicants, being legal heirs of sole claimant-Respondent No.1 in the appeal, are seeking permission to bring themselves on record by condoning the delay of 86 days. The sole claimant Chabu Gena Kasab has admittedly died on 29.04.2021.

The learned Counsel for Respondent-acquiring body did not raise any objection since appeal is to be proceeded.

In view of the same, the application stands allowed in terms of prayer clause “B”and “C”. The appellant-acquiring body is directed to carry out the amendment forthwith.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

adb

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

**CIVIL APPLICATION NO. 13508 OF 2022 IN  
FIRST APPEAL ST. NO. 10894 OF 2021**

Ashru Pandharinath Ghogare (died)  
through L. Rs.

Applicants

Versus

The Executive Engineer,  
Sina Kolegaon Medium Project,  
Donga, Tq. Paranda & others

Respondents

Mr. P. S. Chavan, advocate for the Applicants  
Mr. S. G. Bhalerao, advocate for Respondent No.1.  
Mr. P. M. Kulkarni, AGP for Respondents No. 2 & 3.

WITH  
CIVIL APPLICATION NO. 13510 OF 2022 IN  
FIRST APPEAL ST. NO. 11124 OF 2021  
WITH  
CIVIL APPLICATION NO. 13512 OF 2022 IN  
FIRST APPEAL ST. NO. 11118 OF 2021  
WITH  
CIVIL APPLICATION NO. 13513 OF 2022 IN  
FIRST APPEAL ST. NO. 11128 OF 2021

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 17<sup>th</sup> October, 2022.**

**PC :**

Heard rival submissions.

The applicants, in their respective applications, are seeking withdrawal of entire amount deposited by the acquiring body in all these matters.

However, the learned Counsel for the applicants pointed out that the acquiring body, despite order of depositing 60% amounts of the impugned awards, deposited only 33% amounts.

The learned Counsel for the acquiring body raised strong objection and submitted that the entire amount, as directed by this Court vide order dated 21<sup>st</sup> December, 2021, has been deposited in this Court.

Thus, there appears dispute about proper calculations in respect of the deposited amount. However, keeping the aspect of proper calculations open, the applicants are permitted to withdraw the entire amount, which has been deposited by the acquiring body on usual undertaking to the satisfaction of the Registrar (J) of this Court.

Civil Applications are accordingly disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

adb

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

**CIVIL APPLICATION NO. 13825 OF 2021 IN  
FIRST APPEAL ST. NO. 10894 OF 2021**

The Executive Engineer,  
Sina Kolegaon Medium Project,  
Donga, Tq. Paranda

Applicants

Versus

Ashru Pandharinath Ghogare (died)  
through L. Rs. & others

Respondents

Mr. S. G. Bhalerao, advocate for the Applicants  
Mr. P. S. Chavan, advocate for Respondents No.1 to 5.  
Mr. P. M. Kulkarni, AGP for Respondents No. 6 & 7.

WITH  
CIVIL APPLICATION NO. 13827 OF 2021 IN  
FIRST APPEAL ST. NO. 11124 OF 2021  
WITH  
CIVIL APPLICATION NO. 13829 OF 2021 IN  
FIRST APPEAL ST. NO. 11118 OF 2021  
WITH  
CIVIL APPLICATION NO. 13831 OF 2021 IN  
FIRST APPEAL ST. NO. 11128 OF 2021

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 17<sup>th</sup> October, 2022.**

**PC :**

The acquiring body, who has filed these appeals, is seeking condonation of delay of 320 days which appears to be caused due to obtaining approvals at various stages. There is no strong objection from the other side.

As such, delay of 320 days, in all these applications, stands condoned. The appeals be placed for admission, after removal of office objections, if any.

Civil Applications are accordingly disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

adb