

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

912 CIVIL APPLICATION NO.140 OF 2021
IN FAST/23373/2020

EXE. ENGINEER, IRRI. PRO. MAJBUTIKARAN
PRO. OMERGA, NOW OSMANABAD M. PRO. DIV.
OSMANABAD AND OTHERS

VERSUS

DIGAMBAR S/O SOPAN THOMBARE
AND OTHERS

Advocate for Applicants : Mr B.R. Survase
AGP for Respondents: Mr L.C. Patil

WITH

CA/135/2021 IN FAST/24192/2020 WITH CA/134/2021 IN FAST/24192/2020
WITH CA/142/2021 IN FAST/24177/2020 WITH CA/138/2021 IN
FAST/24200/2020 WITH CA/139/2021 IN FAST/24200/2020 WITH CA/137/2021
IN FAST/24182/2020 WITH CA/141/2021 IN FAST/23373/2020 WITH
CA/136/2021 IN FAST/24182/2020 WITH CA/143/2021 IN FAST/24177/2020

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 5th APRIL, 2022

PER COURT :

ORDER IN APPLICATIONS FOR DELAY CONDONATION

1. These are the applications for condonation of delay moved by the applicants/acquiring body.
2. Heard Mr B.R.Survase, learned counsel for the applicant/acquiring body.
3. Issue notice to the respondents/original claimants. Mr L.C. Patil, learned counsel submits that he has instructions to appear in all these applications for condonation of delay on behalf of respondents/original claimants and he waives the notice for respondents/original claimants. He submits that he has no objection to condone the delay.

ORDER

- (i) The applications for condonation of delay moved by the applicant/acquiring body are allowed.
- (ii) The Registry is directed to make scrutiny of the appeals as per procedure and thereafter, those be numbered and placed before the Court for admission.
- (iii) The civil applications are accordingly disposed of.

ORDER IN APPLICATIONS FOR STAY

1. These are the applications for stay moved by the applicants/acquiring body.
2. Heard Mr B.R.Survase, learned counsel for the applicant/acquiring body.
3. Mr L.C. Patil, learned counsel submits that he has instructions to appear on behalf of the respondents/original claimants in all these stay applications and he waives the notice for respondents/original claimants.
4. Mr L.C. Patil, learned counsel for the original claimants has placed on record a copy of order passed by this Court in Civil Application No. 14651/2018 in First Appeal St. No. 25317/2018 in Civil Application No. 86/2021 in First Appeal (Stamp) No. 23646/2020 with connected matters. Leave granted.
5. The copy of order is placed on record and marked as 'X' for identification Civil Application No. 86/2021 in First Appeal (Stamp) No. 23646/2020. He submits that this Court was pleased to grant stay subject to

deposit of entire amount of compensation with accrued interest thereon within a period of sixteen weeks. He submits that this group of appeal is arising out of same project and same notification.

6. Mr B.R. Survase, learned counsel for the applicants submits that the acquiring body would deposit 75% amount with accrued interest thereon.

7. On going through the orders passed earlier by this Court (supra), it is evident that this Court was pleased to grant stay subject to deposit entire amount of compensation with accrued interest thereon within a period of sixteen weeks from the date of order. I do not see any reason to take any different view that this group of appeals is arising out of same project and notification.

ORDER

- (i) There shall be interim relief in terms of prayer clause (B) on condition that the applicant/acquiring body shall deposit entire amount of compensation with accrued interest thereon within a period of sixteen weeks from the date of passing of this order.
- (ii) Inform to the concerned Reference Court/executing Court accordingly.
- (iii) Stand over to 23.08.2022.

(SHRIKANT D. KULKARNI, J.)

mta