

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

**922 CIVIL APPLICATION NO.7078 OF 2023
IN FA/966/2016 WITH CA/7079/2023 IN FA/966/2016 WITH CA/
7082/2023 IN FA/968/2016 WITH CA/7080/2023 IN
FA/968/2016**

**NARAYAN NAMDEV BHADKE (DIED) THR LRS. GAJRABAI
NARAYAN BHADKE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND ANR**

...
Advocate for Applicants : Mr. A. R. Barate
AGP for Respondent-State: Mr. P. M. Kulkarni
....

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 15/06/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.7079 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of sole claimant i.e. respondent No.1, who admittedly died on 12/08/2019, by condoning the delay of 1153 days.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-B and C.

4. The appellant - acquiring body is directed to carry out the amendment forthwith.
5. Application is accordingly disposed of.

B) ORDER IN CIVIL APPLICATION NO.7082 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of respondent No.1 Digambar Haridas Bandawan, who admittedly died on 29/08/2012, by condoning the delay of 3692 days.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-B and C.
4. The appellant - acquiring body is directed to carry out the amendment forthwith.
5. Application is accordingly disposed of.

C) ORDER IN CIVIL APPLICATION NOS.7078 OF 2023 & 7080 OF 2023 :

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of the entire amounts of compensation, which have been deposited by the State-acquiring body alongwith the interest accrued thereon.
3. Though the learned AGP opposed the applications, but it seems that the compensation granted by reference court is within the limit of four times.
4. As such, considering the enhancement granted by the learned reference court within four times, the applicants are

permitted to withdraw their entire respective amounts of compensation alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The civil applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)