

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

931 CIVIL APPLICATION NO.1430 OF 2023
IN FAST/14580/2020 WITH CA/1432/2023 IN FAST/15522/2020
WITH CA/1431/2023 IN FAST/15540/2020 WITH CA/1702/2023
IN FAST/15522/2020 WITH CA/3846/2021 IN FAST/14580/2020
WITH CA/3847/2021 IN FAST/14580/2020 WITH CA/3848/2021
IN FAST/15432/2020 WITH CA/3849/2021 IN FAST/15432/2020
WITH CA/3843/2021 IN FAST/15522/2020 WITH CA/3844/2021
IN FAST/15522/2020 WITH CA/3850/2021 IN FAST/15540/2020
WITH CA/3851/2021 IN FAST/15540/2020

VITTHAL LAXMAN SARGE
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
LATUR AND ANR

...
Advocate for Applicant : Mr. G. K. Sontakke
AGP for Respondent No.1: Mr. B. V. Virdhe
Advocate for Respondent No.2 : Mr. S. G. Bhalerao

....
CORAM : SANDIPKUMAR C. MORE, J.
DATED : 10/02/2023.

P. C. :

A) IN CIVIL APPLICATION NO.1432 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 Shri Vishwanath Laxman Sarge, who admittedly died on 29/11/2019, by condoning the delay of 1054 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. Application is accordingly disposed of.

B) IN CIVIL APPLICATION NOS.1430 OF 2023, 1431 OF 2023 AND 1702 OF 2023 :-

1. Heard .
2. The respective applicants are seeking withdrawal of their amounts of compensation, which have been deposited by the acquiring body alongwith the interest accrued thereon. It appears that the acquiring body in all these matters has deposited only 50% of the compensation amounts.
3. The learned counsel for the acquiring body though opposed the applications on the ground that the reference court has granted exorbitant amount of compensation, which is almost six times of the amounts granted by SLAO, but fairly submits that in other matters this court has allowed the applicants therein to withdraw 50% of the amounts of compensation.
4. In view of the present applicants are permitted to withdraw 50% of the compensation amounts that means entire deposited amounts 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.

C) IN CIVIL APPLICATION NOS.3846 OF 2021, 3847 OF 2021, 3848 OF 2021, 3849 OF 2021, 3843 OF 2021, 3844 OF 2021 3850 OF 2021 AND 3851 OF 2021:-

1. Stand over to 24/02/2023.

(SANDIPKUMAR C. MORE, J.)