

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

**CIVIL APPLICATION NO.2399 OF 2023 IN
FIRST APPEAL NO. 3915 OF 2019**

Rachappa Khandappa Hanamshetti
(died) through L. Rs.

Applicants

Versus

The Godavari Marathwada Irrigation
Development Corporation & others

Respondents

Mr. A. B. Kale, advocate for the Applicants
Mr. A. M. Gaikwad, advocate for Respondent No.1.
Mr. S. S. Dande, AGP for Respondents No. 2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

Leave to correct name of applicant no.4 as Shila
instead of Balika.

The applicants, being the legal representatives of
soul respondent-claimant Rachappa Khandappa
Hanamshetti, are seeking permission to bring themselves on
record by condoning delay of 970 days. From the copy of the
death certificate, it appears that Rachappa died on

21.03.2020.

The learned Counsel for the acquiring body, though raised strong objection, but considering the right to defend, the application stands allowed in terms of prayer clauses {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.2400 OF 2023 IN
FIRST APPEAL NO. 3915 OF 2019**

Rachappa Khandappa Hanamshetti
(died) through L. Rs.

Applicants

Versus

The Godavari Marathwada Irrigation
Development Corporation & others

Respondents

Mr. A. B. Kale, advocate for the Applicants
Mr. A. M. Gaikwad, advocate for Respondent No.1.
Mr. S. S. Dande, AGP for Respondents No. 2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

The learned Counsel for the applicants submits that this application has been filed inadvertently despite pendency of similar application bearing CA No. 2398 of 2023.

In view of the same, CA stands disposed of as withdrawn.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb

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

**CIVIL APPLICATION NO.2398 OF 2023 IN
FIRST APPEAL NO. 3915 OF 2019**

Rachappa Khandappa Hanamshetti
(died) through L. Rs.

Applicants

Versus

The Godavari Marathwada Irrigation
Development Corporation & others

Respondents

Mr. A. B. Kale, advocate for the Applicants
Mr. A. M. Gaikwad, advocate for Respondent No.1.
Mr. S. S. Dande, AGP for Respondents No. 2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

Heard rival submissions.

The applicants are seeking withdrawal of entire amount of compensation, which has been deposited by the appellant-acquiring body. It appears that the acquiring body has deposited only 75% of the impugned award amount.

This Court, vide order dated 06.12.2022 in other connected matters, has already permitted the applicants

therein to withdraw 75% of the deposited amount.

In view of the same, the applicants herein are permitted to withdraw 75% of the deposited amount along with proportionate interest accrued thereon till date by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis, till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb