

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

909 CIVIL APPLICATION NO.7570 OF 2023
IN FAST/4626/2021 WITH CA/507/2022 IN FAST/4550/2021 WITH
CA/508/2022 IN FAST/4550/2021 WITH CA/513/2022 IN
FAST/4618/2021 WITH CA/514/2022 IN FAST/4618/2021 WITH
CA/515/2022 IN FAST/4626/2021 WITH CA/517/2022 IN
FAST/4626/2021 WITH CA/511/2022 IN FAST/4629/2021 WITH
CA/512/2022 IN FAST/4629/2021 WITH CA/509/2022 IN
FAST/4633/2021 WITH CA/510/2022 IN FAST/4633/2021

LESHABAI MANIKRAO JAGTAP DIED THR LRS PRASHANT
MANIKRAO JAGTAP
VERSUS
THE STATE OF MAHARASHTA, THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...
Advocate for Applicant : Mr. Amol T. Jagtap
AGP for Respondent/s – State : Mr. S. N. Kendre
Advocate for Respondents-claimants in CA Nos. 509/22, 511/2022,
and 512/22 : Mr. S. A. Wakure
Advocate for Respondent No.3 : Ms. Sunita D. Shelke

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 23.06.2023

PER COURT :

A) ORDER IN CIVIL APPLICATION NO. 7570/2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of entire amount of compensation, which has been deposited by the acquiring body along with the interest accrued thereon.
3. This Court vide order dated 09.07.2021 in other connected matters has permitted the applicant therein to withdraw 75% of the total compensation amount. In view of the same, the applicant is permitted to withdraw 75 % of the total compensation amount along

with the proportionate interest accrued thereon till date i.e. 50% on usual undertaking and 25 % on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

4. The remaining amount shall be invested in F.D.R. in any Nationalized Bank on yearly renewal basis till final of this appeal.

5. The Civil Application is accordingly disposed of.

B) ORDER IN FOUR CIVIL APPLICATIONS FOR DELAY EXCEPT CIVIL APPLICATION NO. 507/2022 :

1. The appellant – Acquiring Body in all these applications is seeking condonation of delay of 2484 days, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 2484 days stands condoned.

2. The appeals be placed for admission after removal of office objections, if any.

3. Applications are accordingly disposed of.

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C) ORDER IN FOUR CIVIL APPLICATIONS FOR STAY EXCEPT CIVIL APPLICATION NO. 508/2022.

Since the appellant -acquiring body in all these matters has deposited the entire amounts of compensation, the applications are made absolute in terms of prayer clause 'B' and disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

shp/-