

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

**954 CIVIL APPLICATION NO.3516 OF 2023
IN FA/18/2022 WITH CA/138/2022 IN FA/18/2022
RAMESH RUKHMAJI BHAIRWAD
VERSUS
EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS.**

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. S. G. Sangle

...

AND

...

**955 CIVIL APPLICATION NO.3517 OF 2023
IN FA/15/2022 WITH CA/131/2022 IN FA/15/2022
RAMESH RUKHMAJI BHAIRWAD
VERSUS
EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS.**

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. S. G. Sangle

...

AND

...

**956 CIVIL APPLICATION NO.3523 OF 2023
IN FA/16/2022 WITH CA/133/2022 IN FA/16/2022
VISHWAMBHAR SHIVLING DUDHE
VERSUS**

EX. ENGINEER, U.P.P. DIV NO. 6 NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. N. Lokhande
Advocate for Respondent No.1: Mr. S. G. Sangle

...

AND

...

957 CIVIL APPLICATION NO.3524 OF 2023
IN FA/13/2022 WITH CA/126/2022 IN FA/13/2022
SUBHASH RUKHMAJI BHAIKWAD
VERSUS
EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. N. T. Bhagat
Advocate for Respondent No.1: Mr. S. G. Sangale

...

AND

...

958 CIVIL APPLICATION NO.3532 OF 2023
IN FA/14/2022 WITH CA/129/2022 IN FA/14/2022
DEVARAM BHOJIRAM DEVKAR
VERSUS

EX. ENGINEER, U.P.P.D. NO. 6 NANDED AND ORS.

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. S. G. Sangale

...

AND

...

959 CIVIL APPLICATION NO.3635 OF 2023
IN
FA/762/2021
SAYYAD AMIR ALI JALAL ALI
VERSUS
THE EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO.
6 NANDED AND ORS

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. B. Jadhavar
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

960 CIVIL APPLICATION NO.3636 OF 2023**IN****FA/757/2021****KISAN RAMMANNA BAGULWAD AND ANR****VERSUS****THE EX. ENGINEER, U.P.P. DIV. NO. 6 NANDED AND ORS**

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. N. Lokhande
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

961 CIVIL APPLICATION NO.3637 OF 2023**IN****FA/756/2021****DIGAMBAR NARSING DUDDE****VERSUS****THE EX. ENGINEER, U.P.P.DIV. NO. 6 NANDED AND ORS**

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. N. T. Bhagat
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

962 CIVIL APPLICATION NO.3638 OF 2023**IN****FA/754/2021****GANGADHAR SHIVRAYA RODE AND ANR****VERSUS****THE EX. ENGINEER, U.P.P.DIV. NO. 6 AND ORS**

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

963 CIVIL APPLICATION NO.3639 OF 2023
IN
FA/759/2021
KAMAJI GANGARAM DUDDE
VERSUS
THE EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO.
6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

964 CIVIL APPLICATION NO.3641 OF 2023
IN
FA/764/2021
MAHAMMAD MOIN IBRAHIM
VERSUS
THE EX. ENGINEER U.P.P. DIV. NO. 6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. B. Jadhavar
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

965 CIVIL APPLICATION NO.3643 OF 2023
IN
FA/763/2021
LALUPRASAD NAGNATH CHANDAPURE
VERSUS
THE EX. ENGINEER, U.P.P. DIV. NO. 6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. N. Lokhande
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

966 CIVIL APPLICATION NO.3651 OF 2023**IN****FA/769/2021****SACHIN NAGNATH CHANDAPURE****VERSUS****THE EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO.
6 NANDED AND ORS**

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. N. T. Bhagat
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

967 CIVIL APPLICATION NO.3656 OF 2023**IN****FA/765/2021****DINESH SURESHRAO BACCHEWARE****VERSUS****THE EX. ENGINEER, U.P.P.D. NO. 6 NANDED AND ORS**

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

968 CIVIL APPLICATION NO.3657 OF 2023**IN****FA/766/2021****SURESH SHANKAR BACCHEWAR****VERSUS****THE EX. ENGINEER, U.P.P.DIV. NO. 6 NANDED AND ORS**

...

Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. S. C. Arora

...

AND

...

**970 CIVIL APPLICATION NO.4456 OF 2023
IN FA/865/2021 WITH CA/5424/2021 IN
FA/865/2021**

DEVIDAS SAHEBRAO DUDDE

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. N. Lokhande
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**971 CIVIL APPLICATION NO.4457 OF 2023
IN FA/863/2021 WITH CA/5422/2021 IN
FA/863/2021**

SHRINIWAS NANARAO AVARE

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. N. T. Bhagat
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**972 CIVIL APPLICATION NO.4458 OF 2023
IN FA/858/2021 WITH CA/5419/2021 IN
FA/858/2021**

PIRAJI KERBA BHANGARE AND ORS

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...
973 CIVIL APPLICATION NO.4844 OF 2023
IN FA/856/2021 WITH CA/5417/2021 IN
FA/856/2021

SARASWATIBAI DATTAHARI AVARE

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

974 CIVIL APPLICATION NO.4845 OF 2023
IN FA/859/2021 WITH CA/5420/2021 IN
FA/859/2021

ISHWAR MAROTI AVARE

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. B. Jadhavar
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

975 CIVIL APPLICATION NO.4852 OF 2023
IN FA/862/2021 WITH CA/5421/2021 IN
FA/862/2021

KERBA TULSHIRAM KADAM

VERSUS

EX. ENGINEER, U.P.P.DIV. NO. 6, NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. N. Lokhande
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**976 CIVIL APPLICATION NO.4854 OF 2023
IN FA/901/2021 WITH CA/5627/2021 IN
FA/901/2021**

LAXMAN GANGARAM DUDDE

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. N. T. Bhagat
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**977 CIVIL APPLICATION NO.5013 OF 2023
IN FA/854/2021 WITH CA/5415/2021 IN
FA/854/2021**

HANMANT NAGNATH RAMPURE

VERSUS

THE EXE. ENGINEER, UPPER PENGANGA PRO. DIV. NO.6,
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**978 CIVIL APPLICATION NO.5014 OF 2023
IN FA/857/2021 WITH CA/5418/2021 IN
FA/857/2021**

ADITYA ASHOK CHANDAPURE U/G OF ANITA ASHOK
CHANDAPURE

VERSUS

THE EXE. ENGINEER, UPPER PENGANGA PRO. DIV. NO.6,
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe

Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**979 CIVIL APPLICATION NO.5324 OF 2023
IN FA/855/2021 WITH CA/5416/2021 IN
FA/855/2021**

SARASWATIBAI DATTAHARI AVARE

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. B. Jadhavar
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**980 CIVIL APPLICATION NO.5328 OF 2023
IN FA/900/2021 WITH CA/5626/2021 IN
FA/900/2021**

DATTAHARI LAXMAN KADAM

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. N. Lokhande
Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**981 CIVIL APPLICATION NO.5329 OF 2023
IN FA/853/2021 WITH CA/5414/2021 IN
FA/853/2021**

DHONDJI PIRAJI KADAM

VERSUS

EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. Ram Deshpande

...
AND
...

982 CIVIL APPLICATION NO.5330 OF 2023
IN
FA/760/2021
AVDHOT RAJESHWAR JAKAWAD AND ORS
VERSUS
THE EX. ENGINEER, U.P.P.DIV NO. 6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. N. T. Bhagat
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

983 CIVIL APPLICATION NO.5331 OF 2023
IN FA/758/2021
SAYYAD LIYAKAT ALI KASIM ALI
VERSUS
THE EX. ENGINEER, U.P.P.DIV. 6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

984 CIVIL APPLICATION NO.5332 OF 2023
IN FA/887/2021 WITH CA/5514/2021 IN
FA/887/2021
RAJABAI HANMANTRAO GUNDALE
VERSUS
THE EXE. ENGINEER, UPPER PENGANGA PRO. DIV. NO.6,
NANDED AND ORS

...
Advocate for Applicants: Mr. S. S. Thombre

AGP for Respondent/State: Ms. R. P. Gour
Advocate for Respondent No.1: Mr. Ram Deshpande

...
AND
...

985 CIVIL APPLICATION NO.5335 OF 2023
IN
FA/755/2021
SAYYAD ANIS ALI JALAL ALI
VERSUS
THE EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO.
6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

986 CIVIL APPLICATION NO.5336 OF 2023
IN
FA/768/2021
SAYYAD BASHIR ALI SAYYAD ALI
VERSUS
THE EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO.
6 NANDED AND ORS

...
Advocate for Applicant: Mr. S. S. Thombre
AGP for Respondent/State: Mr. K. B. Jadhavar
Advocate for Respondent No.1: Mr. S. C. Arora

...
AND
...

987 CIVIL APPLICATION NO.5337 OF 2023
IN FA/1167/2021 WITH CA/7161/2021 IN
FA/1167/2021
SAMBHAJI KERBA BHANGARE
VERSUS
EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO. 6
NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
 AGP for Respondent/State: Mr. K. N. Lokhande
 Advocate for Respondent No.1: Mr. Ram Deshpande

...

AND

...

**988 CIVIL APPLICATION NO.5723 OF 2023
 IN FA/17/2022 WITH CA/136/2022 IN FA/17/2022**

MOIJODDIN SALIMODDIN AND ORS

VERSUS

THE EXE. ENGINEER, UPPER PENGANGA PRO. DIV. NO.6,
 NANDED AND ORS

...

Advocate for Applicants: Mr. S. S. Thombre
 AGP for Respondent/State: Mr. N. T. Bhagat
 Advocate for Respondent No.1: Mr. S. G. Sangle

...

AND

...

CIVIL APPLICATION NO.3640 OF 2023**IN****FA/761/2021**

SAYYAD GHASUS ALI JALAL ALI

VERSUS

THE EX. ENGINEER, UPPER PENGANGA PROJECT DIV. NO.
 6 NANDED AND ORS

...

Advocate for Applicant: Mr. S. S. Thombre
 AGP for Respondent/State: Mr. N. T. Bhagat
 Advocate for Respondent No.1: Mr. S. C. Arora

...

CORAM : ARUN R. PEDNEKER, J.**DATE : 12th SEPTEMBER, 2023****PER COURT:**

1. Heard.

2. First Appeal No.761 of 2021 is not on board. At the request of Mr. S. C. Arora, learned counsel for the Appellant, the matter is taken on board.

3. All these first appeals are filed by the acquiring body. The present civil applications are filed for withdrawal of amount deposited in this court. The acquiring body in some cases has deposited 75% and in some cases 100% of the entire compensation amount. In the connected matters this court has permitted withdrawal of 50% amount of the total awarded compensation to the claimants.

4. In view of the same, all the civil applications for withdrawal of amount are allowed to the extent of withdrawal of 50% of the total compensation along with accrued interest on usual terms and conditions to the satisfaction of the Registrar (Judicial) of this court. All the civil applications for withdrawal of amount are disposed of.

5. The stay is granted in these matters by this court earlier and as the amount is deposited, the stay is confirmed. All the Stay applications are disposed of.

6. All the appeals are **admitted**.

7. After admission of appeal, the learned AGPs and the learned counsel for respective respondents waive service of notice.

8. Since, there is a possibility of settlement in all these matters, list these matters before the next Lok-Adalat, scheduled to be held on 09.12.2023.

[ARUN R. PEDNEKER, J.]

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