

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

936 CIVIL APPLICATION NO.10402 OF 2023
IN FAST/6113/2020

SANDU YADAVRAO THOMBRE
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Advocate for Applicants : Mr.R.J.Nirmal
AGP for Respondent-State : Mr.K.B.Jadhavar
Advocate for Respondent no.2 : Mr.M.C.Swami

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WITH

CA/10821/2021 IN FAST/6113/2020

WITH

CA/10823/2021 IN FAST/6113/2020

WITH

FIRST APPEAL STAMP NO.6113 OF 2020

...

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT
DIVISION, JALNA

VERSUS

SANDU YADAVRAO THOMBRE & ANOTHER

...

Advocate for Applicant : Mr.M.C.Swami
AGP for Respondent-State : Mr.K.B.Jadhavar
Advocate for Respondent no.1 : Mr.R.J.Nirmal

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CORAM : ARUN R. PEDNEKER, J.

DATE : 27.09.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL

1] The present Civil Application is filed to withdraw the amount deposited by the Acquiring Body in this Court.

2] The Appeal is filed by the acquiring body on the ground that there is large increase in the compensation granted by the Land Acquisition Officer and it is 6 time increase in the compensation granted by the Land Acquisition Officer.

3] The applicant is permitted to withdraw 75% amount deposited in this Court along with interest accrued thereon subject to furnishing usual undertaking to the satisfaction of the Registrar [Judicial] of this Court. The remaining amount be kept in Fixed Deposit in any Nationalized Bank. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR DELAY

1] The present Civil Application is filed to condone the delay of 219 days in filing the First Appeal.

2] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. Appeal be registered. Civil Application is disposed of accordingly.

C] ORDER IN CIVIL APPLICATION FOR STAY

The applicant – acquiring body has deposited entire award amount in this Court. The interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

D] ORDER IN FIRST APPEAL

1] First Appeal is **admitted**.

2] On admission, the learned AGP waives notice for the respondent no.1. Mr.R.J.Nirmal, learned counsel waives notice for the respondent no.1.

3] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC