

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

941 CIVIL APPLICATION NO.4130 OF 2023
IN FAST/4492/2020 WITH CA/7087/2021 IN
FAST/4492/2020 WITH CA/7088/2021 IN FAST/4492/2020

BABURAO NAMDEO GAWALI @ BABURAV NAMDEV GAVLI
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION MEDIUM PROJECT,
PARANDA AND OTHERS

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Mr. L.C. Patil, Advocate for the applicant.
Mr. G.B. Rajale, Advocate for respondent No.1.
Mr. A.B. Chate, A.G.P. for respondent Nos.2 and 3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 30th March 2023.

ORDER:-

IN CIVIL APPLICATION NO. 4130 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire deposited amount of compensation. The Acquiring Body has deposited only 60% of the total compensation amount alongwith the proportionate interest.
3. It appears that the enhancement by lower Court is only 5 times as that of granted by SLAO.
4. In view of the same and considering the enhancement granted by the learned Reference Court, which is only five times, the applicant is permitted to withdraw entire deposited

amount of compensation 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.

IN CIVIL APPLICATION NO. 7087 OF 2021 :

1. The appellant – acquiring body is seeking condonation of delay of 1561 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 1561 days stands condoned.

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

3. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 7088 OF 2021 :

. Since the appellant – acquiring body has deposited amount of compensation as directed by this court, the application is made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)