

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

909 CIVIL APPLICATION NO.3896 OF 2023
IN FA/674/2021 WITH CA/3897/2023 IN FA/674/2021 WITH CA/
8338/2020 IN FA/674/2021 WITH CA/8340/2020 IN
FA/676/2021 WITH CA/8342/2020 IN FA/675/2021 WITH
CA/8344/2020 IN FA/677/2021

HARIDAS TUKARAM KUDALE (DIED) THR LRS. SINDHUBAI
DADARAO KAWADE AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THR THE COLLECTOR,
OSMANABAD AND ORS

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Advocate for Applicants : Mr. L. C. Patil
AGP for Respondent Nos.1 & 2: Mr. R. B. Bagul
Advocate for Respondent No.3 : Mr. S. C. Arora

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 23/03/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.3896 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of sole respondent- claimant Haridas Tukaram Kudale, who admittedly died on 23/09/2021, by condoning the delay of 262 days.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-B.
4. The appellant - acquiring body is directed to carry out the amendment forthwith.
5. Application is accordingly disposed of.

B) ORDER IN CIVIL APPLICATION NO.3897 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. This court vide order dated 20/07/2022, has already permitted the applicants in other connected matters to withdraw entire amount of compensation.
4. In view of the same, the applicants herein are permitted to withdraw entire deposited amount of compensation alongwith the interest accrued thereon till date i.e. 75% on usual undertaking and 25% on furnishing solvent security / surety to the satisfaction of the Registrar (Judicial) of this court.
5. The civil application is accordingly disposed of.

C) ORDER IN CIVIL APPLICATION NOS.8338 OF 2020, 8340 OF 2020, 8342 OF 2020 AND 8344 OF 2020 :

Since the appellant – acquiring body has deposited the entire amounts of compensation in these applications, the same are made absolute, in terms of prayer clause-C and disposed of.

(SANDIPKUMAR C. MORE, J.)