

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

952 CIVIL APPLICATION NO.1688 OF 2021
IN FAST/1145/2021 WITH CA/1687/2021 IN FAST/1145/2021 WITH
CA/1685/2021 IN FAST/1165/2021 WITH CA/1686/2021 IN
FAST/1165/2021 WITH CA/3564/2022 IN FAST/1165/2021 WITH
CA/3565/2022 IN FAST/1145/2021 WITH CA/7808/2022 IN
FAST/1165/2021 WITH CA/7807/2022 IN FAST/1145/2021 WITH
CA/4966/2021 IN FAST/1145/2021 WITH CA/5043/2021 IN
FAST/1165/2021

THE EX. ENGINEER, JALGAON MEDIUM PROJECT DIV. JALGAONAND ANR
VERSUS
SAHEBRAO DAULATRAO PATIL AND ORS

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Advocate for Applicants : Mr. A.D. Pawar
Advocate for respective Respondents : Ms. S.A. Kale h/f. Mr. A.B. Kale

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953 CIVIL APPLICATION NO.1763 OF 2021
IN FAST/1149/2021 WITH CA/1762/2021 IN FAST/1149/2021 WITH
CA/3566/2022 IN FAST/1149/2021 WITH CA/4955/2021 IN
FAST/1149/2021

THE EX. ENGINEER, JALGAON MEDIUM PROJECT DIV. JALGAONAND ANR
VERSUS
GANESH SUBHASH TIWARI AND ORS

...

Advocate for Applicants : Mr. A.D. Pawar
Advocate for respective Respondents : Ms. S.A. Kale h/f. Mr. A.B. Kale

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CORAM : ARUN R. PEDNEKER, J.
DATED : 01/11/2023

PER COURT :

1. Heard the learned counsel for the parties.
2. In civil applications filed for condonation of delay of 53 days caused in filing the appeal, for the reasons stated in the applications, particularly the administrative reasons, the delay of 53 days caused in filing the appeals is condoned. The delay condonation applications are allowed and disposed of.
3. The learned counsel for appellant has taken me through the order

dated 4.2.2021, by which interim relief has been granted on deposit of 50% amount of the award passed by the Reference Court. The learned counsel submits that the amount has been deposited and the same has been withdrawn by the claimants.

4. In view of the above, the ad-interim relief granted earlier is confirmed. The stay applications and applications for withdrawal of amount are disposed of.

5. In view of the fact that stay is confirmed and amounts are withdrawn by the claimants, the applications filed for extension of time to deposit the amount filed by the appellant do not survive and disposed of accordingly.

6. The learned counsel for the claimants submits that in other connected matter, there has been direction to deposit more than 50% compensation amount and in view of the same, she will file application for withdrawal of amount. Claimants are at liberty to do so.

7. Appeals are **admitted**.

8. On admission, Mrs. S.A. Kale, learned advocate waives service of notice for claimants.

9. Call R. & P.

[ARUN R. PEDNEKER J.]

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