

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.4305 OF 2023
IN FAST/11695/2020 WITH CA/6803/2020 IN FAST/11695/2020 WITH
CA/6804/2020 IN FAST/11695/2020**

**SUBHADRABAI BHILA CHAUDHARI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALGAON AND ORS**

...
Advocate for Applicants : Mr. Y.B. Neb h/f. Mr. Ajeet B. Kale
AGP for Respondents: Mr. P.K. Kulkarni.
Advocate for respondent No. 3 : Mr. S.S. Dande.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 23rd JUNE, 2023

ORDER :-

IN CIVIL APPLICATION 6802 OF 2022 FOR CONDONATION OF DELAY

By this application, the applicant is seeking to condone the delay of 70 days caused in filing the appeal.

Having considered the reasons stated in the application, the application deserves to be allowed. Delay of 70 days caused in filing the appeal is condoned. Appeal be registered.

Civil application is disposed of.

IN CIVIL APPLICATION NO. 6804 OF 2022 FOR STAY

Mr. Dande, learned advocate for the appellant submits that the entire amount as per the award passed by the Reference Court has been deposited with the Registry of this Court. In that view of the matter,

civil application is allowed in terms of prayer clause (B) and stand disposed of.

IN CIVIL APPLICATION FOR WITHDRAWAL

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation. However, this Court in other connected matters, vide order dated 1st April, 2022, has already allowed the applicants therein to withdraw 50% of the amount of compensation. In view of the same, the applicants herein are permitted to withdraw 50% of the deposited amount of compensation alongwith the accrued interest thereon by furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The remaining amount be invested in Fixed Deposit in any Nationalized Bank on yearly renewal basis, till disposal of the appeal.
3. The application is accordingly disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-