



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 CIVIL APPLICATION NO.14589 OF 2023
IN FAST/7593/2021 WITH CA/4627/2021 IN FAST/7593/2021 WITH
CA/4628/2021 IN FAST/7593/2021 WITH CA/4631/2021 IN FAST/7959/2021
WITH CA/4632/2021 IN FAST/7959/2021 WITH CA/4629/2021 IN
FAST/7964/2021 WITH CA/4630/2021 IN FAST/7964/2021

POPAT TATYABA GADADE AND ORS
VERSUS
THE EXE. ENGINEER, OSMANABAD MED. PRO. DIV., OSMANABAD
AND ANR

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Advocate for Applicants : Mr. Shinde Chandrakant K.
AGP for Respondents-State : Mr. N. S. Tekale
Advocate for Respondent No.1 : Mr. s. s. Dudhane h/f R. A. Tambe

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CORAM : ARUN R. PEDNEKER, J.
DATE : 08/12/2023

PER COURT :

1. Heard the learned Advocates representing the respective parties.
The appeals are filed by the Acquiring Body against the order of the Reference Court. The appellants has deposited 25% of the amount of compensation as per directions of this Court vide order dated 19/07/2021.
2. In all applications filed for withdrawal of amount, the learned Advocate for the applicants submits that in the identical facts situation in matters arising out of the same project, this Court by order dated 28/11/2023, in the CA/13884/2023 in FAST/7290/2021, along with other connected matters, has permitted the applicants to withdraw total 25 % deposited compensation amount along with interest accrued thereon till date.

3. In view of the above, the applicants are permitted to withdraw the entire 25% of the deposited compensation amount, deposited in this Court along with interest accrued thereon, on usual undertaking to the satisfaction of the Registrar Judicial of this Court. The applications for withdrawal amount stand disposed of.

4. In all applications filed for condonation of delay, for the reasons stated in the application, the said applications are allowed and disposed of.

5. In all applications filed for stay, the Stay has been granted to the Reference Court award subject to deposit of 25% of total amount of compensation with interest as determined by the Reference Court. The Acquiring Body has deposited amounts of compensation as directed along with interest accrued thereon in this Court. In view of the same, the Stay order passed by this Court dated 19/07/2021, in all the applications, is confirmed. Applications filed for stay stand disposed of.

6. All appeals are **Admitted**.

7. After admission, the learned AGP waives service of notice on behalf of respondents-State.

(ARUN R. PEDNEKER, J.)

vj gawade/-.