

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

969 CIVIL APPLICATION NO.4679 OF 2023
IN FA/3353/2022 WITH CA/13808/2022 IN FA/3353/2022

GANESH DADA @ DADARAO KARHALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE S.L.A.O.,
J.P., AURANGABAD AND ANOTHER

AND

970 CIVIL APPLICATION NO.4680 OF 2023
IN FAST/14287/2022 WITH CA/11115/2022 IN
FAST/14287/2022 WITH CA/11117/2022 IN
FAST/14287/2022
LAXMAN HIRALAL KUKLARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE S.L.A.O.,
J.P., AURANGABAD AND ANOTHER

AND

976 CIVIL APPLICATION NO.4686 OF 2023
IN FAST/14305/2022 WITH CA/11107/2022 IN
FAST/14305/2022 WITH CA/11108/2022 IN
FAST/14305/2022 WITH CA/4687/2023 IN
FAST/14305/2022

KONDIRAM MANAJI KUKLARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE S.L.A.O.,
J.P., AURANGABAD AND ANOTHER

AND

977 CIVIL APPLICATION NO.4688 OF 2023
IN FAST/14309/2022 WITH CA/11100/2022 IN
FAST/14309/2022 WITH CA/11101/2022 IN
FAST/14309/2022
BANSI SHEKU KUKLARE (DIED) THR LRS. PARVATABAI
BANSI KUKLARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE S.L.A.O.,
J.P., AURANGABAD AND ANOTHER

AND
978 CIVIL APPLICATION NO.4693 OF 2023
IN FAST/14299/2022 WITH CA/11080/2022 IN
FAST/14299/2022 WITH CA/11081/2022 IN
FAST/14299/2022
SITARAM LAXMAN KUKLARE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SLAO, JP,
AURANGABAD AND ANOTHER

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Mr. L.C. Patil, Advocate for the applicants.

Mr. B.V. Virdhe, Mr. S.S. Dande, Mr. S.N. Kendre and Mr. S.W. Mundhe, AGPs for respondent – State in respective matters.

Mr. S.G. Bhalerao, Advocate for Acquiring Body.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th April 2023.

ORDER:-

IN CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT :

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their respective amounts of compensation, which have been deposited by the Acquiring Body alongwith the interest accrued thereon.
3. This Court under order dated 02.01.2023 in other connected matters, has granted the applicants therein to withdraw 60% of the deposited amounts. In view of the same, the applicants herein are also permitted to withdraw 60% of the deposited amounts alongwith the proportionate interest accrued thereon till date, on usual undertaking to the

satisfaction of the Registrar (Judicial) of this court and remaining amounts be invested in FDR in any Nationalized Bank on yearly renewal basis, till final disposal of these appeals.

4. The civil applications are accordingly disposed of.

IN CIVIL APPLICATIONS FOR CONDONATION OF DELAY :

1. The appellant – Acquiring Body in all these applications is seeking condonation of delay periods mentioned therein, which appear to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay periods stand condoned.

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

3. Applications are accordingly disposed of.

IN CIVIL APPLICATIONS FOR STAY :

. Since the appellant – Acquiring Body has deposited amounts of compensation as directed by this court, the applications are made absolute in terms of prayer clause-B and disposed of.

IN CIVIL APPLICATION NO. 4687/2023 IN FAST/14305/2022 :

1. Heard rival submissions.

2. The applicants are seeking permission to bring themselves on record in the appeal being the legal

representatives of respondent No.2 in appeal Ramdas Manaji Kuklare, who admittedly died on 04.05.2021, by condoning the delay of 160 days.

3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clauses-(B) and (C).

4. The appellant - Acquiring Body is directed to carry out the amendment forthwith.

5. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)