

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

**CIVIL APPLICATION NO.1271 OF 2023 IN
FIRST APPEAL ST. NO. 9394 OF 2019**

Laxman s/o Maruti Mote (died),
through his L. Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

Ms. L. R. Thakur, advocate holding for Mr. L. C. Patil,
advocate for the Applicants
Mr. B. V. Virdhe, AGP for Respondents No.1 to 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 07th February, 2023.

PC :

Heard rival submissions.

The applicants, being legal representatives of sole respondent-claimant Laxman Maruti Mote, who died on 17.08.2016, are seeking permission to bring themselves on record by condoning delay of 2240 days.

Considering the right to defend, the application stands allowed in terms of prayer clauses (A) and (B).

The appellant-acquiring body to carry out the

amendment within stipulated period.

Civil Application stands disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO.5695 OF 2019 IN
FIRST APPEAL ST. NO. 9394 OF 2019**

The State of Maharashtra
and others

Applicants

Versus

Laxman s/o Maruti Mote

Respondents

Mr. B. V. Virdhe, AGP for Applicants.

Ms. L. R. Thakur, advocate holding for Mr. L. C. Patil, advocate for
the claimants.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 07th February, 2023.

PC :

The appellant-State acquiring body is seeking condonation of delay of 1569 days which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from the other side.

As such delay of 1569 days stands condoned. The appeal be placed for admission after removal of office objections, if any.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb

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

**CIVIL APPLICATION NO.1270 OF 2023 IN
FIRST APPEAL ST. NO. 9394 OF 2019**

Laxman s/o Maruti Mote (died),
through his L. Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

Ms. L. R. Thakur, advocate holding for Mr. L. C. Patil,
advocate for the Applicants

Mr. B. V. Virdhe, AGP for Respondents No.1 to 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 07th February, 2023.

PC :

Heard rival submissions.

The applicants are seeking withdrawal of entire amount of compensation along with interest which has been deposited by the appellant-State/acquiring body.

The learned AGP strongly opposed the application on the ground that the learned Reference Court has granted 09 times more compensation as that of learned SLAO.

In view of the same, the applicants, at this

juncture, are permitted to withdraw 50% of the deposited amount along with proportionate accrued interest thereon by furnishing usual undertaking to the satisfaction of learned Registrar (J) of this Court. They also further permitted to withdraw 25% of the deposited amount along with proportionate interest by furnishing solvent security/surety. The remaining amount be invested in Fixed Deposit, in any Nationalised Bank, on yearly renewal basis till final disposal of the appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb