

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

907 CIVIL APPLICATION NO.7268 OF 2018
IN FAST/10258/2018 WITH CA/7269/2018 IN FAST/10258/2018
WITH CA/7275/2018 IN FAST/11097/2018 WITH CA/7277/2018
IN FAST/11097/2018 WITH CA/7273/2018 IN FAST/11102/2018
WITH CA/7274/2018 IN FAST/11102/2018 WITH CA/7270/2018 IN
FAST/11107/2018 WITH CA/7272/2018 IN FAST/11107/2018

EXECUTIVE ENGINEER, IRRIGATION PROJECT MAJBUTIKARAN
DIVISION, OMERG THR M.K.V.D.C. PUNE AND ORS
VERSUS
SUDHAKAR MANIKRAO THITE (PATIL)

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Advocate for Applicants : Mr. S. G. Bhjalerao
Advocate for Respondents : Ms. Sakshi Kale h/f Mr. A. B. Kale

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 02/03/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NOS.7268 OF 2018, 7275 OF 2018, 7273 OF 2018 AND 7270 OF 2018 :

1. Since these matters are allotted to the learned counsel Mr. S. G. Bhalerao by the concerned acquiring body, the appearance of Ms. Sunita Shelke stands discharged.
2. The applicant / acquiring body in all these applications is seeking condonation of delay of 1067 days, which appears to be caused due to obtaining sanctions at various stages.
3. Though the applications are opposed, but considering the statutory right of the applicants, the delay of 1067 days in all these applications, stands condoned.
4. The appeals be placed for admission after removal of office objections, if any. Civil applications are disposed of accordingly.

B) ORDER IN CIVIL APPLICATIONS NOS.7269 of 2018, 7277 of 2018, 7274 of 2018 and 7272 of 2018:

1. Heard rival submissions.
2. The learned counsel for the applicant / acquiring body submits that the execution of impugned award be stayed by permitting the applicant to deposit only 50% amounts of the awards since interest is granted from the date of possession and there is compensation in respect of trees and lands separately.
3. However, this court vide order dated 11/04/2018 in other connected matters, has already directed the acquiring body to deposit entire amounts of impugned awards.
4. In view of the same, the applications are made absolute in terms of prayer clause-B subject to condition that the applicant / acquiring body shall deposit entire amounts of awards alongwith the interest within a period of 12 weeks, failing which the respondents / claimants are at liberty to pursue the remedy as permissible in law.
5. Application are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)