

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 6430 OF 2023
IN FIRST APPEAL (ST) NO. 12443 OF 2021
WITH CA/6433/2023 IN FAST/12433/2021
WITH CA/6434/2023 IN FAST/12152/2021
WITH CA/6432/2023 IN FAST/12441/2021
WITH CA/6435/2023 IN FAST/12425/2021
WITH CA/6429/2023 IN FAST/12437/2021
WITH CA/6431/2023 IN FAST/12443/2021
WITH CA/7043/2021 IN FAST/12152/2021
WITH CA/7055/2021 IN FAST/12425/2021
WITH CA/7047/2021 IN FAST/12433/2021
WITH CA/7049/2021 IN FAST/12437/2021
WITH CA/7051/2021 IN FAST/12441/2021
WITH CA/7053/2021 IN FAST/12443/2021
WITH CA/7044/2021 IN FAST/12152/2021
WITH CA/7056/2021 IN FAST/12425/2021
WITH CA/7054/2021 IN FAST/12443/2021
WITH CA/7050/2021 IN FAST/12437/2021
WITH CA/7048/2021 IN FAST/12433/2021
WITH CA/7052/2021 IN FAST/12441/2021

DEORAO RANGNATH KASAB DIED THR LRS DROPADI
DEORAO KASAB AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR
OSMANABAD AND OTHERS

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Mr. A.S. More – Advocate for Applicants
Mr. S.N. Kendre – AGP for Respondent Nos.1 and 2, State
Mr. M.S. Kulkarni – Advocate for Respondent No.3

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 6th June, 2023

PER COURT :

CIVIL APPLICATION NO. 6430 OF 2023

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of sole claimant – respondent No.1 i.e. Deorao Rangnath Kasab, who admittedly died on 5th November, 2022, by condoning the delay of 56 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. The application is accordingly disposed of.

CIVIL APPLICATION NO. 6429 OF 2023

6. Heard rival submissions.
7. The applicants are seeking permission to bring

themselves on record in the appeal being the legal representatives of sole claimant – respondent no.1 i.e. Bapu Dagdu Gange, who admittedly died on 18th March, 2021, by condoning the delay of 305 days.

8. 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'.

9. The appellant – acquiring body is directed to carry out the amendment forthwith.

10. The application is accordingly disposed of.

CIVIL APPLICATION NO. 6433 OF 2023
CIVIL APPLICATION NO. 6434 OF 2023
CIVIL APPLICATION NO. 6432 OF 2023
CIVIL APPLICATION NO. 6435 OF 2023
CIVIL APPLICATION NO. 6431 OF 2023

11. Heard.

12. The respective applicants are seeking withdrawal of their amounts of compensation, which have been deposited by the acquiring body alongwith the interest accrued thereon. It is to be noted that, the acquiring body in all these matters has

deposited only 50% of the total compensation amounts.

13. This Court vide order dated 28th April, 2023 in other connected matters has already granted withdrawal of 50% amount out of the total compensation amounts to the applicants therein.

14. In view of the same, present applicants are permitted to withdraw their respective amounts of compensation that means entire deposited amounts alongwith the interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

15. The civil applications are accordingly disposed of.

CIVIL APPLICATION NO. 7043 OF 2021
CIVIL APPLICATION NO. 7055 OF 2021
CIVIL APPLICATION NO. 7047 OF 2021
CIVIL APPLICATION NO. 7049 OF 2021
CIVIL APPLICATION NO. 7051 OF 2021
CIVIL APPLICATION NO. 7053 OF 2021

16. The appellant – acquiring body in all these applications is seeking condonation of delay of 496 days, which appears to be cause due to obtaining sanctions at various stages. There is not strong objection from other side and therefore the delay

of 496 days in all these matters stands condoned.

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

18. The applications are accordingly disposed of.

CIVIL APPLICATION NO. 7044 OF 2021
CIVIL APPLICATION NO. 7056 OF 2021
CIVIL APPLICATION NO. 7054 OF 2021
CIVIL APPLICATION NO. 7050 OF 2021
CIVIL APPLICATION NO. 7048 OF 2021
CIVIL APPLICATION NO. 7052 OF 2021

19. 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 ‘A’ and disposed of.

[SANDIPKUMAR C. MORE]
JUDGE