

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

923 CIVIL APPLICATION NO.6409 OF 2023
IN FAST/27405/2021 WITH CA/6410/2023 IN
FAST/27419/2021 WITH CA/6406/2023 IN FAST/27409/2021
WITH CA/6408/2023 IN FAST/27352/2021 WITH
CA/6407/2023 IN FAST/27412/2021 WITH CA/2335/2022 IN
FAST/27352/2021 WITH CA/2336/2022 IN
FAST/27352/2021 WITH CA/2340/2022 IN
FAST/27405/2021 WITH CA/2339/2022 IN FAST/27405/2021
WITH CA/2341/2022 IN FAST/27409/2021 WITH
CA/2343/2022 IN FAST/27409/2021 WITH CA/2347/2022 IN
FAST/27412/2021 WITH CA/2348/2022 IN FAST/27412/2021
WITH CA/2344/2022 IN FAST/27419/2021 WITH
CA/2345/2022 IN FAST/27419/2021

BHIVRAO SAMPATTI DESHMUKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND OTHERS

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Mr. Abhijit More, Advocate for the applicants.
Mr. S.N. Kendre, A.G.P. for respondent Nos.1 and 2.
Mr. Ram Deshpande, Advocate for respondent No.3.

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 20.07.2023.

ORDER:-

IN CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNTS :

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their amounts of compensation alongwith the interest accrued thereon, which have been deposited by the Acquiring Body.
3. The learned counsel for the Acquiring Body strongly opposed the applications on the ground that the Reference Court has granted exorbitant amount of compensation, which is almost five times of the amount granted by SLAO.

4. In view of the same, present applicants are permitted to withdraw 75% of their respective compensation amounts alongwith the proportionate interest accrued thereon till date, on usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The remaining amounts be invested in F.D.R. in any Nationalized Bank on yearly renewal basis till disposal of these appeals.

5. The civil applications are accordingly disposed of.

IN CIVIL APPLICATIONS FOR CONDONATION OF DELAY :

1. Heard rival submissions. The appellant – Acquiring Body is seeking condonation of delay of 834 days in all these applications, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 934 days stands 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 in all these applications has deposited entire amounts of compensation alongwith interest accrued thereon, the applications are made absolute in terms of prayer clause (B) and disposed of.

(SANDIPKUMAR C. MORE, J.)