

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

987 CIVIL APPLICATION NO.8928 OF 2023
IN FAST/10659/2022 WITH CA/9743/2022 IN FAST/10659/2022 WITH
CA/9744/2022 IN FAST/10659/2022

ARVIND SHAHURAJ JADHAV
VERSUS
G.M.I.D.C., THR THE EX. ENGINEER, OSMANABAD MEDIUM PROJECT
DIV. OSMANABAD AND ORS

...
Advocate for Applicant : Mr. Vivekanand V. Ingale
AGP for Respondents: Mr. S.S. Dande.
Advocate for Respondent No.1 : Mrs. Bharaswadkar Patil

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH AUGUST, 2023

ORDER :-

- 1.. The applicant is seeking withdrawal of the amount of compensation deposited by the appellant - acquiring body alongwith interest accrued thereon.
2. This court vide order dated 12.7.2021 in connected matters had permitted the applicants therein to withdraw 75% of the amount deposited alongwith interest. In view of the same, it would be appropriate to pass the similar order.
3. The applicant herein is permitted to withdraw 50% amount deposited, on usual undertaking to be furnished to the satisfaction of the Registrar (Judicial) of this Court. The applicant is permitted to withdraw 25% of the amount on furnishing solvent security.
4. Civil application is accordingly disposed of.

IN C.A. NO. 9473 OF 2022.

By this application, the applicant is seeking to condone the

delay of 3074 days caused in filing the appeal.

2. The learned advocate for the applicant submits that the delay has been occasioned on account of administrative and procedural reasons. The applicant has not derived any benefit by causing the delay. He invited the attention of this court to the reasons stated in para.2 to 5 of the application.

3. The learned counsel for the respondent opposes the prayer stating that the delay is inordinate.

4. Having considered the reasons stated in the application, the application deserves to be allowed. Delay of 3074 days caused in filing the appeal is condoned. Appeal be registered subject to removal of office objections.

5. Civil application is disposed of.

**In STAY APPLICATION
C.A. NO. 9744 OF 2022**

Mrs. Bharaswadkar, learned advocate for the appellant submits that the entire amount as per the award passed by the Reference Court has been deposited with the Registry of this Court. In that view of the matter, civil application is allowed in terms of prayer clause (B) and stand disposed of.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-