

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

914 CIVIL APPLICATION NO.7753 OF 2023
IN FA/1680/2021 WITH CA/7741/2023 IN FA/1679/2021
WITH CA/7743/2023 IN FA/1679/2021

BABU SADASHIV KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS COLLECTOR,
OSMANABAD AND OTHERS

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Mr. S.N. Patne, Advocate for the applicants.
Mr. A.B. Chate, A.G.P. for respondent Nos.1 and 2.
Mr. M.S. Kulkarni, Advocate for respondent No.3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27th June 2023.

ORDER:-

IN CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT :

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their amounts of compensation, which have been deposited by the Acquiring Body alongwith the interest accrued thereon.
3. Vide order dated 07.06.2023, this Court in other connected matters, has already permitted the applicants therein to withdraw 75% of the total compensation amounts. In view of the same, the applicants herein are permitted to withdraw 75% of the total deposited 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.

4. The civil applications are accordingly disposed of.

IN CIVIL APPLICATION NO. 7743 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 i.e. respondent No.1 Kamlakar Bhalchandra Jadhav, who admittedly died on 20.05.2021, by condoning the delay of 338 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. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)