

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

940 CIVIL APPLICATION NO.4037 OF 2023
IN FAST/25189/2020 WITH CA/4036/2023 IN FAST/25311/2020
WITH CA/4035/2023 IN FAST/25314/2020 WITH CA/5727/2023
IN FAST/25302/2020 WITH CA/5726/2023 IN FAST/25302/2020
WITH CA/308/2021 IN FAST/25189/2020 WITH CA/309/2021 IN
FAST/25189/2020 WITH CA/310/2021 IN FAST/25302/2020
WITH CA/311/2021 IN FAST/25302/2020 WITH CA/312/2021 IN
FAST/25311/2020 WITH CA/313/2021 IN FAST/25311/2020 WITH
CA/314/2021 IN FAST/25314/2020 WITH CA/315/2021 IN
FAST/25314/2020

**BAPU KESHAV SHINDE
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR,
OSMANABAD AND OTHERS**

...

Advocate for Applicant : Mr. A. S. More
AGP for Respondent Nos.1 & 2: Mr. S. S. Dande
Advocate for Respondent No.3 : Mr. A. S. Shelke

....

AND

944 CIVIL APPLICATION NO.5309 OF 2023
IN FA/561/2022 WITH CA/5310/2023 IN FA/562/2022 WITH CA/
5311/2023 IN FA/562/2022 WITH CA/889/2022 IN FA/561/2022
WITH CA/891/2022 IN FA/562/2022

**BHAGWAN DNYANDEO SHINDE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, OSMANABAD
ANDORS**

...

Advocate for Applicant : Mr. A. S. More
AGP for Respondent Nos.1 & 2: Mr. A. B. Chate
Advocate for Respondent No.3 : Mr. A. S. Shelke

....

AND

951 CIVIL APPLICATION NO.5709 OF 2023
IN FAST/6266/2021 WITH CA/3112/2021 IN FAST/6266/2021
WITH CA/3114/2021 IN FAST/6266/2021

BAPU BABA PAWAR AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
OSMANABAD AND ORS

...

Advocate for Applicant : Mr. A. S. More
AGP for Respondent Nos.1 & 2: Mr. B. V. Virdhe
Advocate for Respondent No.3 : Mr. S. B. Patil

...

CORAM : SANDIPKUMAR C. MORE, J.
DATED : 28/04/2023.

P. C. :

**A) ORDER IN CIVIL APPLICATIONS FOR WITHDRAWAL OF
AMOUNT :**

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their respective compensation amounts, which have been deposited by the acquiring body alongwith the interest accrued thereon. It is to be noted here that the acquiring body in some of the matters have deposited 50% of the total compensation amounts and in some of the matters 60% of the total compensation amounts.
3. The learned counsel for the applicants placed on record copy of order dated 24/04/2023 whereby this court in other connected matters has granted 60% of the entire compensation amounts alongwith the proportionate interest to the applicants therein. As such, the applicants herein are permitted to withdraw their entire respective deposited amounts of compensation alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.
5. The civil applications are accordingly disposed of.

**B) ORDER IN CIVIL APPLICATIONS FOR DELAY
CONDONATION :**

1. Heard rival submissions.
2. The applicant acquiring body in all these applications is seeking condonation of delay periods as mentioned therein, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side. As such, the delay periods in all these applications stand condoned. The appeal be placed for admission after removal of office objections, if any. Applications are disposed of.

C) ORDER IN CIVIL APPLICATIONS FOR STAY :

1. Since the applicant – acquiring body has deposited the amounts in all these matters as directed by this court, the applications are made absolute in terms of prayer clause-B and disposed of.

D) ORDER IN CIVIL APPLICATION NO.5726 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 respondent No.1-claimant Rajaram Santaram Shinde, who admittedly died on 09/07/2022, by condoning the delay of 181 days.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-B and C.
4. The appellant - acquiring body is directed to carry out the amendment forthwith. Application is accordingly disposed of.

E) ORDER IN CIVIL APPLICATION NO.5311 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 respondent No.1-claimant Dnyandeo Manik Shinde, who admittedly died on 21/04/2021, by condoning the delay of 292 days.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-B and C.
4. The appellant - acquiring body is directed to carry out the amendment forthwith. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)