

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

905 CIVIL APPLICATION NO.7411 OF 2023
IN FAST/34288/2021 WITH CA/1173/2022 IN FAST/34288/2021

SHIVAJI S/O BAJIRAO DOLAS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
AURANGABAD AND ORS

...
Advocate for Applicant : Mr. P. M. Janapurkar
AGP for Respondent Nos.1 & 2: Mr. S.P. Tiwari
Advocate for Respondent No.3 : Mr. R. R. Imale

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 21/06/2023.

P. C. :

A) ORDER IN CIVIL APPLICATION NO.7411 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. This court in other connected matters vide order dated 03/05/2023, has already permitted the applicants therein to withdraw 75% of the deposited amounts of compensation.
4. In view of the same, the applicant herein, is permitted to withdraw 75% of the deposited amount of compensation alongwith the interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this court.
5. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.
6. The civil application is accordingly disposed of.

B) ORDER IN CIVIL APPLICATION NO.1173 OF 2022 :

1. The appellant – acquiring body is seeking condonation of delay of 1180 days, 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 1180 days stands condoned.
2. The appeal be placed for admission after removal of office objections, if any.
3. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)