

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

26 CIVIL APPLICATION NO. 8127 OF 2020
IN FIRST APPEAL (ST) NO. 16388 OF 2015
WITH CA/8883/2015 IN FAST/16388/2015
WITH CA/8884/2015 IN FAST/16388/2015

DHANA RAOJI PATIL (DIED) THR LRS RAMESH DHANA
PATIL AND OTHERS
VERSUS
MAHARASHTRA INDUSTRIAL DEVELOPMENT
CORPORATION THR ITS AREA MANAGER JALGAON AND
ANOTHER

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Mr. More Kumar Gaurav M. - Advocate for Applicants
Mr. G.S. Khaire h/f. Mr. S.S. Dande – Advocate for Respondent
No.1

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 7th August, 2023

PER COURT :

CIVIL APPLICATION NO. 8127 OF 2020

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. This Court vide order dated 14th December, 2020 in

other connected matter has already permitted the applicants therein to withdraw 70% of the deposited amount. In view of the same, the present applicants are also permitted to withdraw 70% of the deposited amount alongwith the proportionate interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

4. The remaining amount be kept in F.D.R. in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

5. The civil application is accordingly disposed of.

CIVIL APPLICATION NO. 8883 OF 2015

6. The appellant – acquiring body is seeking condonation of delay of 158 days, which appears to be cause due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 158 days stands condoned.

7. The appeal be placed for admission after removal of office

objections, if any.

8. The application is accordingly disposed of.

CIVIL APPLICATION NO. 8884 OF 2015

9. Since the appellant – acquiring body has deposited the amount of compensation as directed by this Court, the application is made absolute in terms of prayer clause ‘A’ and ‘B’ and disposed of.

**[SANDIPKUMAR C. MORE]
JUDGE**