

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

**945 CIVIL APPLICATION NO.6417 OF 2023
IN FAST/19383/2021 WITH CA/6418/2023 IN
FAST/19756/2021 WITH CA/6420/2023 IN
FAST/19753/2021 WITH CA/6419/2023 IN
FAST/19747/2021 WITH CA/6416/2023 IN
FAST/19750/2021 WITH CA/6421/2023 IN
FAST/19742/2021 WITH CA/9665/2021 IN
FAST/19383/2021 WITH CA/9666/2021 IN
FAST/19383/2021 WITH CA/9669/2021 IN
FAST/19742/2021 WITH CA/9670/2021 IN
FAST/19742/2021 WITH CA/9667/2021 IN
FAST/19747/2021 WITH CA/9668/2021 IN
FAST/19747/2021 WITH CA/9671/2021 IN
FAST/19750/2021 WITH CA/9672/2021 IN
FAST/19750/2021 WITH CA/9675/2021 IN
FAST/19753/2021 WITH CA/9676/2021 IN
FAST/19753/2021 WITH CA/9673/2021 IN
FAST/19756/2021 WITH CA/9674/2021 IN
FAST/19756/2021**

**DATTU MARUTI MORE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH COLLECTOR,
OSMANABAD AND OTHERS**

...

Advocate for Applicant: Mr. Ajeet B. Kale
AGP for Respondent/State: Mr. B. V. Virdhe
Advocate for Respondent No.3: Mr. R. A. Tambe

...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 31st AUGUST, 2023**

PER COURT:

1. In civil applications for withdrawal of amount, the learned counsel appearing for the

applicants seeks leave to correct the name of the respondent no.3. The learned counsel is permitted to do so within a period of one (01) week from today.

2. In First Appeal Stamp No.19750 of 2021, the legal heirs of sole respondent have filed an application for withdrawal of amount bearing no.6416 of 2023. The learned counsel for the appellant to take steps and move an appropriate application based on the information filed in the application, so also, in other application, which is received by the appellant. The learned counsel for the appellant to file an application for bringing the legal heirs of deceased sole respondent on record, within a period of three (03) weeks from today.

3. In all remaining matters, the appeals are filed by the acquiring body and 50% of the amount has been deposited in this court. In some of the group matters acquiring body has deposited total 75% of the compensation amount. There is also an

order passed by this court dated 09.03.2023, in First Appeal 2735 of 2021, permitting withdrawal of entire 75% deposited amount.

4. In the instant case, the amount deposited is 50% and the same amount is permitted to be withdrawn along with accrued interest on furnishing usual undertaking. All the civil applications for withdrawal of amount are disposed of except civil application no.6416 of 2023.

5. For the reasons stated in the civil applications for condonation of delay, the delay is condoned. The civil applications for condonation of delay are disposed of.

6. The learned counsel appearing for the appellants submits that, since, in other matters 75% deposit was directed by this court and that the order passed by this court in the connected matters was not brought to the notice of this court, he seeks leave to file applications seeking

further deposit of the amount. Liberty is granted to file such applications.

7. The civil applications for stay are disposed of accordingly.

8. The first appeals are **admitted**.

[ARUN R. PEDNEKER, J.]

marathe