

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

938 CIVIL APPLICATION NO.2248 OF 2023

IN FAST/20797/2019 WITH CA/2252/2023 IN FAST/20794/2019
WITH CA/2250/2023 IN FAST/20803/2019 WITH CA/2254/2023
IN FAST/20789/2019 WITH CA/2249/2023 IN FAST/20785/2019
WITH CA/6302/2022 IN FAST/19475/2019 WITH CA/6300/2022
IN FAST/20800/2019 WITH CA/3088/2022 IN FAST/19475/2019
WITH CA/3089/2022 IN FAST/19475/2019 WITH CA/3094/2022
IN FAST/20775/2019 WITH CA/3096/2022 IN FAST/20775/2019
WITH CA/3102/2022 IN FAST/20785/2019 WITH CA/3105/2022 IN
FAST/20785/2019 WITH CA/3101/2022 IN FAST/20789/2019
WITH CA/3104/2022 IN FAST/20789/2019 WITH CA/3093/2022
IN FAST/20794/2019 WITH CA/3095/2022 IN FAST/20794/2019
WITH CA/3091/2022 IN FAST/20797/2019 WITH CA/3092/2022
IN FAST/20797/2019 WITH CA/3098/2022 IN FAST/20800/2019
WITH CA/3100/2022 IN FAST/20800/2019 WITH CA/3097/2022
IN FAST/20803/2019 WITH CA/3099/2022 IN FAST/20803/2019
WITH CA/3106/2022 IN FAST/20806/2019 WITH CA/3108/2022 IN
FAST/20806/2019

RAJENDRA BABU SHINDE DIED HIS LRS DILIP RAJENDR SHINDE
AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT
COLLECTOR, OSMANABAD AND ORS

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Advocate for Applicants : Mr. L. C. Patil

AGP for Respondent No.1-State: Mr. S. W. Mundhe

Advocate for Respondent No.2 : Ms. Purva A. Patil h/f

Mr. U. K. Patil

Advocate for Intervenor : Ms. Deepali S. Patil

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 02/03/2023.

P. C. :

A) ORDER IN CIVIL APPLICATIONS FOR INTERVENTION :

1. The learned counsel for the applicant is directed to supply copies of the application to other side.
2. Stand over to 16/03/2023.

B) ORDER IN CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT :

1. The learned counsel for the applicants produced on record death certificate of applicant No.2 in CA No.2248 of 2023. Taken on record.
2. Heard rival submissions.
3. The respective applicants in all these five applications, are seeking withdrawal of their entire respective amounts of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
4. The learned counsel for the acquiring body strongly opposed the application on the ground that the reference court has granted exorbitant amount of compensation, which is nearly six times of the amount granted by SLAO.
5. In view of the same and considering the enhancement granted by the learned reference court, which is more than six times, the applicants are permitted to withdraw their respective 75% amounts from the deposited amounts of compensation alongwith the proportionate interest accrued thereon till date on usual

undertaking to the satisfaction of the Registrar (Judicial) of this court.

6. The remaining amounts be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

7. The civil applications are accordingly disposed of.

C) ORDER IN CIVIL APPLICATIONS FOR STAY :

Since the appellant acquiring body has deposited entire amounts of compensation alongwith the interest in all these matters, the applications are made absolute in terms of prayer clause-B and disposed of.

D) ORDER IN CIVIL APPLICATIONS FOR DELAY CONDONATION :

1. The learned counsel Mr. L. C. Patil waives service for respondent No.4 in C.A. No. 3094 of 2022.

2. The appellant – acquiring body in all these applications is seeking condonation of delay periods as mentioned therein, which appear to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay periods stand condoned.

3. The appeals be placed for admission after removal of office objections, if any. Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)