

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

**19 CIVIL APPLICATION NO.9021 OF 2023
IN FAST/4649/2021 WITH CA/472/2022 IN FAST/4649/2021
WITH CA/473/2022 IN FAST/4649/2021**

**YAMUNABAI NAGNATH MANE
VERSUS
EXE. ENGINEER, IRRIGATION PRO. STRENGTHING
(MAJBUTIKARAN) DIV., OMERGA AND ORS**

...

**Advocate for Applicant : Mr. S. A. Wakure
AGP for Respondent -State: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Ms. S. D. Shelke**

...

AND

**20 CIVIL APPLICATION NO.9034 OF 2023
IN FA/2731/2023 WITH CA/507/2022 IN FAST/4550/2021 WITH
CA/508/2022 IN FAST/4550/2021 WITH FA/2730/2023 WITH
CA/9036/2023 IN FA/2733/2023 WITH CA/9035/2023 IN
FA/2732/2023 WITH CA/9037/2023 IN FAST/4550/2021**

**SURYAKANT MADHAV BAMANKAR (DIED) THR LRS. SUMANBAI
AND ORS**

VERSUS

**EXE. ENGINEER, IRRIGATION PRO. STRENGTHING
(MAJBUTIKARAN) DIV., OMERGA AND ORS**

...

**Advocate for Applicant : Mr. S. A. Wakure
AGP for Respondent -State: Mr. S. N. Kendre
Advocate for Respondent No.1 : Ms. S. D. Shelke**

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 24/07/2023.**

P. C. :

A) ORDER IN C.A. NO.9037 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 sole respondent- Dilip Vikthoba Parve, who admittedly died on 16/10/2017, by condoning the delay of 2003 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.
4. The appellant - acquiring body is directed to carry out the amendment forthwith.
5. Application is accordingly disposed of.

B) ORDER IN CIVIL APPLICATION NOS.9021 OF 2023, 9034 OF 2023, 9036 OF 2023 AND 9035 OF 2023 :

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their entire amounts of compensation, which have been deposited by the acquiring body alongwith the interest accrued thereon.
3. This court vide order dated 23/06/2023 in other connected matters, has already permitted the applicants therein to withdraw 75% of the deposited amounts. As such, the applicants herein are permitted to withdraw 75% of their respective deposited amounts alongwith the proportionate interest accrued thereon till date. i.e. 50% on usual undertaking and 25% on furnishing solvent surety / security to the satisfaction of the Registrar (Judicial) of this court
4. The remaining amounts be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of these appeals.
5. The civil applications are accordingly disposed of.

C) ORDER IN CIVIL APPLICATION NOS.472 OF 2022, 507 OF 2022:

1. The appellant – acquiring body in both these applications is seeking condonation of delay periods 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.
2. The appeals be placed for admission after removal of office objections, if any.
3. Applications are accordingly disposed of.

D) ORDER IN CIVIL APPLICATION NOS.473 OF 2022 & 508 of 2022 :

Since the appellant – acquiring body has deposited amounts of compensation as directed by this court in both these applications, the same are made absolute in terms of prayer clause-B and disposed of.

(SANDIPKUMAR C. MORE, J.)