

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

971 CIVIL APPLICATION NO.5262 OF 2023
IN FA/1170/2022 WITH CA/4410/2022 IN FA/1170/2022 WITH
CA/4414/2022 IN FA/1171/2022 WITH CA/4416/2022 IN FA/1172/2022
WITH CA/4412/2022 IN FA/1173/2022 WITH CA/5263/2023 IN
FA/1171/2022 WITH CA/5264/2023 IN FA/1173/2022 WITH CA/5265/2023
IN FA/1172/2022

SACHIN ARJUNRAO ATULE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, OSMANABAD AND
OTHERS

...
Advocate for Applicant : Mr. More Abhijit S.
AGP for Respondents 1 & 2 : Mr. K.N. Lokhande
Advocate for Respondent 3 : Mr. D.R. Jethliya
...

974 CIVIL APPLICATION NO.10678 OF 2023
IN FA/3443/2022 WITH CA/2935/2021 IN FA/3443/2022 WITH
CA/2937/2021 IN FA/3445/2022 WITH CA/2939/2021 IN FA/3444/2022
WITH CA/10682/2023 IN FA/3445/2022 WITH CA/10680/2023 IN
FA/3444/2022 WITH CA/10681/2023 IN FA/3445/2022

SURESH SAHEBA BHILLARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, OSMANABAD
AND ORS

...
Advocate for Applicant : Mr. More Abhijit S.
AGP for Respondents 1 & 2 : Mr. B.V. Virdhe
Advocate for Respondent 3 : Mr. A.S. Shelke
...

984 CIVIL APPLICATION NO.10877 OF 2023
IN FAST/20339/2020 WITH CA/427/2021 IN FAST/20339/2020 WITH
CA/428/2021 IN FAST/20339/2020 WITH CA/429/2021 IN
FAST/20460/2020 WITH CA/430/2021 IN FAST/20460/2020 WITH
CA/431/2021 IN FAST/20467/2020 WITH CA/432/2021 IN
FAST/20467/2020 WITH CA/433/2021 IN FAST/20473/2020 WITH
CA/434/2021 IN FAST/20473/2020 WITH CA/10878/2023 IN
FAST/20460/2020 WITH CA/10876/2023 IN FAST/20473/2020 WITH
CA/10879/2023 IN FAST/20460/2020

BANKAT UTTAM BHILLARE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, OSMANABAD AND
ORS

...

Advocate for Applicant : Mr. More Abhijit S.
AGP for Respondents 1 & 3 : Mrs. R.P. Gaur
Advocate for Respondent 2 : Mrs. Sunita D. Shelke

...

CORAM : ARUN R. PEDNEKER, J.
DATED : 01/09/2023

PER COURT :

1. Heard the learned counsel for the respective parties.
2. The learned counsel for the applicants has placed on record order passed by this Court dated 28.4.2023 in First Appeal St. No. 25189/2020 and connected matters wherein this Court has permitted the applicants therein to withdraw their entire respective deposited amounts of compensation alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar Judicial of this Court. In those cases, the Acquiring Body has deposited 50% and 60% amount of the total compensation, respectively.
3. In the instant cases, there is deposit of 75% amount by the Acquiring Body. In view of the above, in all the present matters, I permit applicants to withdraw 60% of the entire compensation along with interest accrued thereon on usual undertaking to the satisfaction of the Registrar Judicial of this Court. Civil Applications filed for withdrawal of amount are disposed of.
4. In view of the above, stay granted earlier is made absolute and stay applications are also disposed of.
5. Civil Application No.10682/2023 is filed in First Appeal No. 3445/2022 for bringing the legal heirs of deceased Saheba s/o. Sonba Bhillare, respondent No.1 in appeal. The application is filed by the legal heirs of deceased respondent No. 1. The learned counsel for the appellant

has no objection to bring the legal heirs of deceased respondent No. 1 on record. In view of the same, civil application is allowed. Appellants to make necessary amendment in the first appeal. Mr. A.S. More, learned counsel appearing for legal heirs of deceased respondent No. 1 waives service of notice for legal heirs in appeal.

6. For the reasons stated in the applications, the applications filed for condonation of delay are allowed. Delay is condoned.

7. Civil Application No. 10878/2023 is filed in First Appeal St. No. 20460/2020 for deleting the name of deceased applicant No. 1 – Sojarbai w/o. Bhagwan Bhillare as legal heirs of said applicant are already on record. Application is allowed at the risk of the applicants.

8. Appeals **admitted**. Respective counsel waive notice in appeal.

9. List the appeals in due course.

10. Deficit court fees be paid.

[ARUN R. PEDNEKER J.]

ssc/