

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO.3620 OF 2021
IN FIRST APPEAL NO. 2705 OF 2011
WITH CA/3801/2010 IN FA/2701/2011
WITH CA/3772/2010 IN FA/2619/2011
WITH CA/3774/2010 IN FA/1833/2011
WITH CA/3838/2010 IN FA/2611/2011
WITH CA/3783/2010 IN FAST/22604/2009
WITH CA/3782/2010 IN FAST/22604/2009
WITH CA/3826/2010 IN FA/2616/2011
WITH CA/3842/2010 IN FA/2608/2011
WITH CA/3799/2010 IN FA/2698/2011
WITH CA/3848/2010 IN FA/1834/2011
WITH CA/3796/2010 IN FA/2705/2011
WITH CA/3792/2010 IN FA/1831/2011
WITH CA/3845/2010 IN FA/1836/2011
WITH CA/3778/2010 IN FA/1837/2011
WITH CA/3820/2010 IN FAST/22701/2009
WITH CA/3822/2010 IN FAST/22701/2009
WITH CA/3789/2010 IN FA/1838/2011
WITH CA/3813/2010 IN FA/1835/2011
WITH CA/3818/2010 IN FA/2617/2011

SATYABHAMABAI DEVIDAS BHALERAU AND OTHERS
VERSUS
THE DEPUTY INSPECTOR OF GENERAL B.S.F. AND OTHERS

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Mr. H.B. Nandagavale h/f. Mr. V.G. Sakolkar – Advocate for Applicants
Mr. A.B. Chate – AGP for Respondent No.2, State
Mr. A.G. Talhar – Advocate for Respondent No.1

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 30th June, 2023

PER COURT :

1. The learned Counsel – Mr. A.G. Talhar submits that, the earlier Counsel – Mr. A.M. Sharma, Mr. A.B. Dhongade and Mr. N.S. Chaoudhary are no more on the panel of appellant – acquiring body and therefore their appearance stands discharged in this matter as well as all the connected matters and the appearance of Mr. A.G. Talhar is taken on record on behalf of appellant – acquiring body.

CIVIL APPLICATION NO. 3620 OF 2021

2. Heard rival submissions.

3. The applicants are seeking modification of order dated 26th August, 2011 and further withdrawal. It appears that, subsequent orders in other connected matters such as order dated 18th January, 2016 indicates that, this Court had given permission to the applicants therein to withdraw 25% compensation amount by furnishing security/surety instead of bank guarantee.

4. In view of the same, the applicants herein are also permitted to withdraw the 25% compensation amount on

furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court instead of bank guarantee as directed in the order dated 26th August, 2011.

5. The remaining amount is continued to be deposited in F.D.R. in any nationalized bank on yearly renewal basis till disposal of this appeal.

6. The Civil Application is accordingly disposed of.

CIVIL APPLICATION NO. 3783 OF 2010

CIVIL APPLICATION NO. 3820 OF 2010

7. The appellant – acquiring body in both these applications is seeking condonation of delay of 280 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 280 days stands condoned.

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

CIVIL APPLICATION NO. 3801 OF 2010

CIVIL APPLICATION NO. 3772 OF 2010

CIVIL APPLICATION NO. 3774 OF 2010
CIVIL APPLICATION NO. 3838 OF 2010
CIVIL APPLICATION NO. 3782 OF 2010
CIVIL APPLICATION NO. 3826 OF 2010
CIVIL APPLICATION NO. 3842 OF 2010
CIVIL APPLICATION NO. 3799 OF 2010
CIVIL APPLICATION NO. 3848 OF 2010
CIVIL APPLICATION NO. 3796 OF 2010
CIVIL APPLICATION NO. 3792 OF 2010
CIVIL APPLICATION NO. 3845 OF 2010
CIVIL APPLICATION NO. 3778 OF 2010
CIVIL APPLICATION NO. 3822 OF 2010
CIVIL APPLICATION NO. 3789 OF 2010
CIVIL APPLICATION NO. 3813 OF 2010
CIVIL APPLICATION NO. 3818 OF 2010

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

[SANDIPKUMAR C. MORE]
JUDGE