

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

926 CIVIL APPLICATION NO. 7382 OF 2023
IN FIRST APPEAL (ST) NO. 25420 OF 2021
WITH CA/7383/2023 IN FAST/25415/2021
WITH CA/5431/2022 IN FAST/25415/2021
WITH CA/5432/2022 IN FAST/25415/2021
WITH CA/5429/2022 IN FAST/25420/2021
WITH CA/5430/2022 IN FAST/25420/2021

NIRAJ RAGHUNATH GIRI (DIED) THR LRS RADHIKA NIRAJ
GIRI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR
OSMANABAD AND OTHERS

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Mr. L.C. Patil – Advocate for Applicants
Mr. S.P. Tiwari – AGP for Respondent Nos.1 and 2
Mr. S.G. Sangle – Advocate for Respondent No.3

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 6th July, 2023

PER COURT :

CIVIL APPLICATION NO. 7382 OF 2023
CIVIL APPLICATION NO. 7383 OF 2023

1. Heard rival submissions.
2. The respective applicants in both these applications are seeking withdrawal of their amounts of compensation, which have been deposited by the acquiring body alongwith the

interest accrued thereon.

3. This Court vide order dated 21st June, 2023 in other connected matters has already permitted the applicants therein to withdraw 70% of the total compensation amounts.

4. In view of the same, present applicants are permitted to withdraw 70% of the deposited compensation amounts i.e. 50% on usual undertaking and 20% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

5. The remaining amounts be kept in F.D.R. in any nationalized bank on yearly renewal basis till final disposal of these appeals.

6. The civil applications are accordingly disposed of.

CIVIL APPLICATION NO. 5432 OF 2022
CIVIL APPLICATION NO. 5430 OF 2022

7. Since the appellant – acquiring body in both these matters, has deposited the amount of compensation as directed by this Court, the applications are made absolute in

terms of prayer clause – B and disposed of.

CIVIL APPLICATION NO. 5431 OF 2022

CIVIL APPLICATION NO. 5429 OF 2022

8. The appellant – acquiring body in both these applications is seeking condonation of delay of 2324 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 2324 days stands condoned.

9. The appeals be placed for admission after removal of office objections, if any.

10. The applications are accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE