

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

983 CIVIL APPLICATION NO.10874 OF 2023
IN FAST/9618/2021 WITH CA/6030/2021 IN FAST/9618/2021 WITH
CA/6031/2021 IN FAST/9618/2021 WITH CA/6034/2021 IN
FAST/9747/2021 WITH CA/6035/2021 IN FAST/9747/2021 WITH
CA/6032/2021 IN FAST/9754/2021 WITH CA/6033/2021 IN
FAST/9754/2021 WITH CA/10875/2023 IN FAST/9747/2021

LAXMAN ABA KOKANE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, OSMANABAD
AND ORS

...
Advocate for Applicants : Mr. A.S. More Abhijit S.
AGP for Respondents 1 & 3 : Mr. K.N. Lokhande
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 applicants has submitted that in connected matters bearing First Appeal St. No. 24732/2020 by order dated 17.2.2023, this Court has permitted the applicants therein to withdraw entire the deposited amount, which was 50% of the amount of compensation along with interest accrued thereon till the date of the order on usual undertaking to the satisfaction of the Registrar Judicial of this Court.
3. In view of the same, the applicants herein are permitted to withdraw entire deposited amount, which is 50% of the amount of the compensation along with the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar Judicial of this Court. Civil Applications filed for withdrawal of amounts are disposed of.

4. In the applications filed for delay condonation, for the reasons stated in the applications, the applications are allowed. Delay of 272 days is condoned. The applications are disposed of.

5. In view of the above, stay is made absolute and the stay applications are also disposed of.

6. Appeals are **admitted**.

7. Respective counsel appearing for the respective respondents waive service of notice for respective respondents in appeals after admission.

8. In remaining matter i.e. in First Appeal St. No. 6032/2021, Civil Application No. 6032/2021 is filed for condonation of delay. In the said application, notice of respondent No. 1 is returned unserved as reported to be dead. The appellant to take steps to bring the legal heirs of deceased respondent No. 1 on record. List the stay application and delay condonation application on 13.10.2023.

[ARUN R. PEDNEKER J.]

ssc/