

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

**CIVIL APPLICATION NO.7870 OF 2022 IN
FIRST APPEAL ST. NO. 41138 OF 2019**

Lotu Bhivsan Chaudhary (died)
through L. Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

Mr. Ajeet B. Kale, advocate for the Applicants
Mr. S. S. Dande, AGP for Respondents No.1 & 2.
Mr. K. P. Rodge, advocate holding for Mr. A. G. Magar,
advocate i/by Jay & Co. for Respondent No.1.

**WITH
CIVIL APPLICATION NO.3546 OF 2021 IN
FIRST APPEAL ST. NO. 41201 OF 2019**

Lotu Bhivsan Chaudhary (died)
through L. Rs.

Applicants

Versus

The Executive Engineer, M.I.D.C.,
Jalgaon & others

Respondents

Mr. Ajeet B. Kale, advocate for the Applicants
Mr. K. P. Rodge, advocate holding for Mr. A. G. Magar,
advocate i/by Jay & Co. for Respondent No.1.
Mr. S. S. Dande, AGP for Respondents No.2 & 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 15th March, 2023.

PC :

The learned Counsel for the appellant-acquiring body is directed to carry out the amendment in respect of legal heirs of deceased claimant forthwith.

Heard rival submissions.

The applicants, in these applications, are seeking withdrawal of entire amounts of compensation. However, this Court, vide order dated 1st April 2022, in connected matters, permitted the applicants therein to withdraw only 50% of the deposited amounts.

In view of the same, the present applicants are also permitted to withdraw 50% of the deposited amounts of compensation along with proportionate accrued interest thereon by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amounts be invested in FDR, in any Nationalised Bank, on yearly renewal basis till final disposal of these appeals.

Both the Civil Applications are disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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

**CIVIL APPLICATION NO.1451 OF 2020 IN
FIRST APPEAL ST. NO. 41138 OF 2019
WITH
CIVIL APPLICATION NO. 1455 OF 2020 IN
FIRST APPEAL ST. NO. 41192 OF 2019
WITH
CIVIL APPLICATION NO. 1453 OF 2020 IN
FIRST APPEAL ST. NO. 41201 OF 2019**

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 15th March, 2023.

PC :

The learned Counsel for the applicant-acquiring body undertakes to remove all the office objections in these applications within two weeks.

Stand over to 29.03.2023.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb