

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

933 CIVIL APPLICATION NO.1732 OF 2023
IN FAST/26054/2020 WITH CA/805/2021 IN FAST/26054/2020

SHANTABAI TULSIRAM TAMBE (DIED) THR LRS. RAMCHANDRA
TULSIRAM TAMBE AND ANOTHER

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANABAD AND OTHERS

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Advocate for Applicants : Mr. V. V. Ingale
AGP for Respondent Nos.2 & 3: Mr. A. B. Chate
Advocate for Respondent No.1 : Mr. R. A. Tambe

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 10/02/2023.

P. C. :

A) IN CIVIL APPLICATION NO.1732 OF 2023 :

1. Heard.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon. The acquiring body has deposited only 50% of the compensation amount.
3. The learned counsel for the acquiring body opposed the application on the ground that the reference court has granted exorbitant amount of compensation, which is beyond 12 times of the amount granted by SLAO.
4. In view of the same and considering the enhancement granted by the learned reference court, the applicants are permitted to withdraw entire deposited amount of compensation alongwith the interest accrued thereon till date, on usual

undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The civil application is accordingly disposed of.

B) IN CIVIL APPLICATION NO.805 OF 2021 :

1. The appellant – acquiring body in this application is seeking condonation of delay of 1421 days, which appears to be caused due to obtaining sanctions at various stages.

2. There is not strong objection from other side and therefore the delay of 1421 days stands condoned.

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

(SANDIPKUMAR C. MORE, J.)