

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

920 CIVIL APPLICATION NO.11099 OF 2023
IN FAST/26033/2023

WITH CA/11107/2023 IN FAST/26005/2023
WITH CA/11108/2023 IN FAST/26005/2023
WITH CA/11109/2023 IN FAST/26008/2023
WITH CA/11110/2023 IN FAST/26008/2023
WITH CA/11111/2023 IN FAST/26012/2023
WITH CA/11112/2023 IN FAST/26012/2023
WITH CA/11105/2023 IN FAST/26017/2023
WITH CA/11106/2023 IN FAST/26017/2023
WITH CA/11103/2023 IN FAST/26021/2023
WITH CA/11104/2023 IN FAST/26021/2023
WITH CA/11101/2023 IN FAST/26029/2023
WITH CA/11102/2023 IN FAST/26029/2023
WITH CA/11100/2023 IN FAST/26033/2023
WITH CA/11113/2023 IN FAST/26036/2023
WITH CA/11114/2023 IN FAST/26036/2023
WITH CA/11115/2023 IN FAST/26040/2023
WITH CA/11116/2023 IN FAST/26040/2023

THE EXECUTIVE ENGINEER LATUR, MINOR IRRIGATION DIVISION
VERSUS
SWARUP BABURAO SAWANT AND ORS

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Advocate for Applicant : Mr.Bhushan V. Virdhe
AGP for State : Mr.A.M.Phule

Advocate for Respondents in APPLN/11107/2023 & 11108/2023 :
Mr.Shashikiran N.Patil

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**CORAM : SMT. VIBHA KANKANWADI &
ABHAY S. WAGHWASE, JJ.**

DATE : 8 SEPTEMBER, 2023

PER COURT :-

1. Issue notice to the respondents – claimants in applications for condonation of delay.

2. Mr.S.N.Patil, learned Advocate waives service of notice for the respondents – claimants in Civil Application Nos.11107 of 2023 and 11108 of 2023. He wants to file say in application for condonation of delay. Say-cum-affidavit to be filed on or before 05-10-2023 by giving copy of the same to other side in advance.

3. Acquiring Body has also filed applications for stay to the impugned judgment and award. Mr.B.V.Virdhe, learned Advocate for the applicant - Acquiring Body has vehemently submitted that the rate that was fixed by the Special Land Acquisition Officer is already multiplied by 4. Taking into consideration the fact that the award is under the new Act and therefore, already the interest of the claimants was taken care of, still the huge amount has been granted by way of enhancement by the Tribunal.

4. In view of the dispute that has been now tried to be raised, we feel that there should be stay to the impugned Judgment and award, subject to deposit of 70% of the decretal amount within a period of 12 weeks from today. If the deposit of the said amount as scheduled is not made then it should be treated that there is no stay.

5. Applications for stay are disposed of.

6. Place the matters for further consideration on 18-12-2023.

(ABHAY S. WAGHWASE)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE