

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

951 CIVIL APPLICATION NO.17132 OF 2022
IN FAST/15797/2020 WITH CA/3853/2021 IN FAST/15797/2020 WITH
CA/8175/2020 IN FAST/15797/2020 WITH CA/8171/2020 IN
FAST/15797/2020

MAHADEV @ MADHAV NARAYAN SURYAWANSHI (DIED) THR LRS.
DATTU (DIED) THR LRS. KAMALBAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, LATUR AND
OTHERS

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Advocate for Applicants : Mr. B. M. Dhanure
AGP for Respondents-State: Mr. A. B. Chate
Advocate for Respondent No.3 : Ms. Ranjana D. Reddy

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 24/01/2023.

P C. :

A) IN CIVIL APPLICATION NO.3853 OF 2021 :

The learned counsel for the applicant acquiring body submits that under order dated 17/01/2023 the legal representatives of respondent No.2 Dattu Madhav Suryawanshi are already taken on record. In view of the same, the present application stands disposed of as infructuous.

B) IN CIVIL APPLICATION NO.8171 OF 2020 :

1. The acquiring body is seeking condonation of delay of 805 days, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side. As such, the delay of 805 days stands condoned.

2. The appeal be placed for admission after removal of office objections, if any. Application is accordingly disposed of.

C) IN CIVIL APPLICATION NO.8175 OF 2020 :

Since the appellant acquiring body has deposited the amount of compensation as per the order dated 10/12/2020----, the application is made absolute in terms of prayer clause-B and disposed of.

D) CIVIL APPLICATION NO.17132 OF 2022 :

1. Heard.
2. The applicants are seeking withdrawal of entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. The order dated 03/10/2022 passed by this court in other connected matters, indicates that the applicants therein were allowed to withdraw 60% of the amount of compensation. The learned counsel for the acquiring body pointed out that in fact 75% of the total compensation has been deposited by the acquiring body.
4. In view of the same, the applicants herein are permitted to withdraw 60% of the total 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.

(SANDIPKUMAR C. MORE, J.)