

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

22 CIVIL APPLICATION NO.11994 OF 2023
IN FA/2810/2021 WITH CA/7917/2021 IN FA/2807/2021 WITH
CA/7921/2021 IN FA/2810/2021 WITH CA/7920/2021 IN FAST/4818/2021
WITH CA/7923/2021 IN FAST/4818/2021 WITH CA/7919/2021 IN
FA/2808/2021 WITH CA/11996/2023 IN FA/2807/2021 WITH
CA/11995/2023 IN FA/2810/2021 WITH CA/11997/2023 IN FA/2808/2021

KESHAV DINKAR MANE (DIED) THR LRS. PARWTI KESHAV MANE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, OSMANABAD
AND ORS

...
Advocate for Applicants : Mr. L.C. Patil
AGP for Respondents 1 & 2 : Mr. N.T. Bhagat
Advocate for Respondent 3 : Mr. Jeevan Patil h/f. Mr. G.B. Rajale
...

CORAM : ARUN R. PEDNEKER, J.
DATED : 03/10/2023

PER COURT :

1. List the First Appeal St. No. 4818/2021 and the applications therein on 2.1.2024.
2. Civil Application No. 11994/2023 is filed for bringing the legal heirs of deceased Keshav Dinkar Mane on record by condoning the delay of 504 days caused in filing the application. For the reasons stated in the application, the application is allowed. Delay of 504 days caused in filing the application is condoned. Appellants to carry out the necessary amendment within a period of one week.
3. Civil applications for withdrawal of amount are filed by the original claimants. The learned counsel for original claimants has produced on record the earlier order dated 30th June, 2023 passed in Civil Application No. 5862/2023 in First Appeal No. 2406/2021 and other connected matters identical to the present matters.

4. The learned counsel appearing for Acquiring Body has strongly opposed the applications for withdrawal of amount.

5. In view of the earlier order dated 30th June, 2023 passed in Civil Application No. 5862/2023 in First Appeal No. 2406/2021 and other connected matters, identical to the present matters, the applicants are permitted to withdraw 75% of the total compensation amounts alongwith the proportionate interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar Judicial of this Court. The remaining amount be deposited in F.D.R. in any nationalized bank on yearly renewal basis till final disposal of these appeals.

6. Civil Applications for withdrawal of amount are disposed of accordingly.

7. Since the appellant acquiring body has deposited amount of compensation as directed by this Court in all these matters, the ad-interim stay granted earlier is confirmed. Stay applications are disposed of.

8. Appeals are **admitted**.

9. The learned counsel appearing for respondents waive service of notice for respective respondents.

10. Call R. & P.

[ARUN R. PEDNEKER J.]

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