

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**911 CIVIL APPLICATION NO.6395 OF 2023
IN FAST/34981/2021 WITH CA/6396/2023 IN
FAST/34993/2021 WITH CA/6394/2023 IN FAST/34996/2021
WITH CA/6398/2023 IN FAST/34984/2021 WITH
CA/6399/2023 IN FAST/34962/2021 WITH CA/6397/2023 IN
FAST/34987/2021 WITH WITH CA/4354/2022 IN
FAST/34962/2021 WITH CA/4355/2022 IN FAST/34962/2021
WITH CA/4356/2022 IN FAST/34981/2021 WITH
CA/4357/2022 IN FAST/34981/2021 WITH CA/4358/2022 IN
FAST/34984/2021 WITH CA/4359/2022 IN FAST/34984/2021
WITH CA/4360/2022 IN FAST/34987/2021 WITH
CA/4361/2022 IN FAST/34987/2021 WITH WITH
CA/4365/2022 IN FAST/34993/2021 WITH CA/4366/2022 IN
FAST/34993/2021 WITH CA/4367/2022 IN FAST/34996/2021
WITH CA/4369/2022 IN FAST/34996/2021**

MANGESH GURUBHIMRAO KULKARNI
VERSUS
THE UNION OF INDIA, THR THE GENERAL MANAGER, C.R. MUMBAI
AND ORS

...
Advocate for Applicant : Mr. Shekade Shashikant E.
AGP for Respondents-State : Mr. S. B. Pulkundwar
ASG for Respondents No.1 and 2 : Mr. A. G. Talhar
...

**AND
928 CIVIL APPLICATION NO.12641 OF 2023
IN FAST/35285/2021 WITH CA/12643/2023 IN
FAST/35288/2021 WITH CA/12642/2023 IN
FAST/35232/2021 WITH CA/4909/2022 IN FAST/35232/2021
WITH CA/4910/2022 IN FAST/35232/2021 WITH
CA/4911/2022 IN FAST/35285/2021 WITH CA/4912/2022 IN
FAST/35285/2021 WITH CA/4913/2022 IN FAST/35288/2021
WITH CA/4914/2022 IN FAST/35288/2021**

SADASHIV SAMBAJI CHAWAN AND ORS
VERSUS
THE UNION OF INDIA, THR THE GENERAL MANAGER, CENTRAL

RAILWAY, MUMBAI AND ORS

...

Advocate for Applicants : Mr. Shirsat Suhas R.
AGP for Respondents-State : Mr. S. B. Pulkundwar
ASG for Respondents No.1 and 2 : Mr. A. G. Talhar

...

AND

**929 CIVIL APPLICATION NO.12649 OF 2023
IN FAST/35005/2021 WITH CA/12652/2023 IN
FAST/35002/2021 WITH CA/12651/2023 IN
FAST/34969/2021 WITH CA/12650/2023 IN
FAST/34999/2021 WITH CA/4294/2022 IN
FAST/34969/2021 WITH CA/4295/2022 IN
FAST/34969/2021 WITH CA/4935/2022 IN
FAST/34999/2021 WITH CA/4936/2022 IN
FAST/34999/2021 WITH CA/4937/2022 IN
FAST/35002/2021 WITH CA/4938/2022 IN
FAST/35002/2021 WITH CA/4939/2022 IN
FAST/35005/2021 WITH CA/4940/2022 IN
FAST/35005/2021**

BAGWAN VITTHAL DEOKAR AND ANR
VERSUS

THE UNION OF INDIA, THR THE GENERAL MANAGER, C.R. MUMBAI
AND ORS

...

Advocate for Applicants : Mr. Shirsat Suhas R.
AGP for Respondents-State : Mr. S. B. Pulkundwar
ASG for Respondents No.1 and 2 : Mr. A. G. Talhar

...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 03/11/2023**

PER COURT :

1. List CA/6393/2023 IN FAST/34990/2021, CA/4362/2022 IN FAST/34990/2021 and CA/4363/2022 IN FAST/34990/2021 after circulation.

2. The present appeals filed by the Acquiring Body against the award passed by the Tribunal.

3. Heard the learned Advocate appearing on behalf of the respective parties.

4. In applications for withdrawal of amount, the learned Advocate for the claimants has produced on record order dated 18/08/2023 passed in FAST/7671/2022 and other connected matters, wherein this Court has permitted the claimants to withdraw the entire amount of compensation deposited in this Court.

5. The learned Advocate appearing on behalf of the Acquiring Body has strongly opposed the application.

6. In view of the order passed earlier in above mentioned appeal, since amounts are small and the small pieces of the lands were acquired and compensation in the connected matters the applicants are permitted to withdraw the entire amount, all the withdrawal applications are allowed. The applicants are permitted to withdraw entire amount of compensation deposited in this Court along with accrued interest thereon till date subject to satisfaction of the Registrar Judicial of this Court. All applications for withdrawal of amount stand disposed of.

7. In all Civil Applications filed for condonation of delay in filing

the appeals, for the reasons stated in the applications and as there is no objection from the respondents to allow the applications, the applications for delay condonation are allowed and disposed of accordingly.

8. In all Civil Applications filed for Stay, the learned Advocate for the applicants submits that the amount has been deposited in this Court as per the directions of this Court. In view of the same, the Stay order passed by this Court dated 31/03/2022, in the applications for stay, is confirmed. The applications filed for Stay stand disposed of.

9. All the appeals are **admitted**.

10. After admission of the appeals, the learned Advocate Mr. S. .E. Shekade and learned Advocate Mr. S. R. Shirsat waives service of notice on behalf of respective respondents.

(ARUN R. PEDNEKER, J.)

vj gawade/-.