

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

53 FIRST APPEAL NO.1060 OF 2021
WITH CA/10275/2023 IN FA/20/2022 WITH CA/6541/2021 IN
FA/1060/2021 WITH CA/10537/2023 IN FA/1060/2021 WITH
CA/11538/2023 IN FA/20/2022 WITH CA/161/2022 IN FA/20/2022 WITH
CA/11771/2023 IN FA/20/2022 WITH CA/11769/2023 IN FA/1060/2021
WITH CA/11768/2023 IN FA/1060/2021 WITH CA/11770/2023 IN
FA/20/2022

THE EXECUTIVE ENGINEER, UPPER PENGANGA PRO. DIV. NO.6, NANDED
AND OTHERS
VERSUS
DUTTAHARI GANGADHAR AAWRE

...
Advocate for Appellants : Mr. R.C. Patil
AGP for Respondent/State : Mr. K.B. Jadhavar
Advocate for Respondent sole : Mr. R.K. Kasat h/f. Mr. S.S. Thombre
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CORAM : ARUN R. PEDNEKER, J.
DATED : 25/09/2023

PER COURT :

1. Heard the learned counsel for respective parties.
2. Original Claimants have filed intervention applications. As there is no objection from other side, the said applications are allowed. Appellants are directed to add the original claimants as party respondents. Amendment be carried out forthwith.
3. The claimants have entered into compromise to the extent of withdrawal of amount deposited in this Court. Compromise relates to apportionment of the withdrawal of amount. Present appeals are filed by the Acquiring Body and the Acquiring Body has deposited 75% of the entire decretal amount.
4. Civil Applications are filed for withdrawal of amount deposited in this Court. The applicants/original claimants are permitted to withdraw 50% of the amount deposited in this Court along with the interest accrued thereon

on usual undertaking to the satisfaction of the Registrar Judicial of this Court. Compensation is to be apportioned in terms of the compromise. The applications for withdrawal of amount are disposed of.

5. Since Acquiring Body has deposited the amount as directed by this Court, the ad-interim stay granted earlier is confirmed. Stay applications are disposed of.

6. Appeals are **admitted**.

7. On admission, respective counsel for respondents waive service of notice for respective respondents.

8. Call R. & P.

[ARUN R. PEDNEKER J.]

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