

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

**CIVIL APPLICATION NO. 2829 OF 2023 IN
FIRST APPEAL ST. NO. 2995 OF 2019**

Hariba Yada Dalal (died)
through L. Rs.

Applicants

Versus

The State of Maharashtra
and another

Respondents

Mr. R. P. Adgaonkar, advocate holding for Mr. S. P.
Katneshwarkar, advocate for the Applicants
Mr. S. S. Dande, AGP for Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

The applicants, being the legal representatives of
soul respondent-claimant Hariba Yada Dalal are seeking
permission to bring themselves on record by condoning delay
of 5542 days. From the copy of the death certificate, it
appears that Hariba Yada Dalal died on 20.05.2007.

The learned AGP for State-acquiring body, though
opposed the application, but considering the right to defend,

the application stands allowed in terms of prayer clauses {B} and {C}. The appellant-acquiring body is directed to carry out the amendment forthwith.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 2827 OF 2023 IN
FIRST APPEAL ST. NO. 2995 OF 2019**

Hariba Yada Dalal (died)
through L. Rs.

Applicants

Versus

The State of Maharashtra
and another

Respondents

Mr. R. P. Adgaonkar, advocate holding for Mr. S. P.
Katneshwarkar, advocate for the Applicants
Mr. S. S. Dande, AGP for Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

Heard rival submissions.

The applicants are seeking withdrawal of entire
amount of compensation, which has been deposited by the
appellant-acquiring body.

This Court, in other connected matter, vide order
dated 30.07.2021, has already permitted the applicants
therein to withdraw 50% of the deposited amount.

In view of the same, the applicants herein are permitted to withdraw 50% of the deposited amount along with proportionate interest accrued thereon by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis, till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 3293 OF 2019 IN
FIRST APPEAL ST. NO. 2995 OF 2019**

The State of Maharashtra
and another

Applicants

Versus

Hariba Yada Dalal (died)
through L. Rs.

Respondents

Mr. S. S. Dande, AGP for Applicants.

Mr. R. P. Adgaonkar, advocate holding for Mr. S. P.
Katneshwarkar, advocate for Respondents-claimants

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

Heard rival submissions.

The applicant-acquiring body is seeking condonation of delay of 1593 days which appears to be caused due to obtaining approvals at various stages. There is no strong objection from the respondent-claimants.

Hence, by considering the statutory right of the applicant, delay of 1593 days stands condoned.

Appeal be placed for admission after removal of office

objections, if any.

Civil Application stands disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO. 3290 OF 2019 IN
FIRST APPEAL NO. 1268 OF 2021
WITH
CIVIL APPLICATION NO. 3294 OF 2019 IN
FIRST APPEAL ST. NO. 2995 OF 2019
WITH
CIVIL APPLICATION NO. 3292 OF 2019 IN
FIRST APPEAL NO. 1269 OF 2021**

Mr. S. S. Dande, AGP for Applicants.

Mr. R. P. Adgaonkar, advocate holding for Mr. S. P.
Katneshwarkar, advocate for Respondents-claimants

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 09th March, 2023.

PC :

Since the appellant-acquiring body has deposited entire amounts of compensation along with the interest, in these matters, these applications are made absolute in terms of prayer clause {B} and disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb