

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

948 CIVIL APPLICATION NO.8378 OF 2023
IN FAST/31060/2019 WITH CA/7394/2021 IN FAST/31060/2019
WITH CA/7396/2021 IN FAST/31060/2019

SUMANBAI ANNASAHEB NAYKAL
VERSUS
STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND ORS

...
Advocate for Applicant : Mr. D.D. Sarawade Patil
AGP for Respondent Nos.1 & 2 - State: Mr. B. V. Virdhe
....

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 12/07/2023.**

P. C. :

A) ORDER IN C.A. NO.8378 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body alongwith the interest accrued thereon.
3. Vide order dated 26/08/2022, this court in other connected matters, has already permitted the applicants therein to withdraw 70% of the deposited amounts. In view of the same, the present applicant is permitted to withdraw 70% of the deposited amount of compensation alongwith the proportionate interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.
4. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.
5. The civil application is accordingly disposed of.

B) ORDER IN C.A. NO.7394 OF 2021:

1. The appellant – acquiring body is seeking condonation of delay of 1720 days, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 1720 days stands condoned.
2. The appeal be placed for admission after removal of office objections, if any. Application is accordingly disposed of.

C) ORDER IN C.A. NO.7396 OF 2021:

1. Since the appellant – acquiring body has deposited amount of compensation as directed by this court, the application is made absolute in terms of prayer clause-A and disposed of.

(SANDIPKUMAR C. MORE, J.)