

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

942 CIVIL APPLICATION NO.4341 OF 2023
IN FA/1911/2023 WITH CA/4346/2023 IN FA/1910/2023 WITH
CA/4348/2023 IN FA/1912/2023 WITH CA/4342/2023 IN
FA/1911/2023 WITH CA/907/2022 IN FA/1912/2023 WITH
CA/904/2022 IN FA/1911/2023 WITH CA/901/2022 IN
FA/1910/2023

NABHAJI DAULA LOKHANDE (DIED) THR LRS. SUMAN NABAJI
LOKHANDE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND ORS

...

Advocate for Applicants : Mr. L. C. Patil
AGP for Respondent-State: Mr. A. B. Chate
Advocate for Respondent No.3 : Mrs. Sunita Shelke

...

AND

957 CIVIL APPLICATION NO.5808 OF 2023
IN FA/3045/2021 WITH CA/5810/2023 IN FA/3044/2021 WITH
CA/5809/2023 IN FA/3046/2021 WITH CA/5811/2023 IN
FA/3043/2021 WITH CA/12847/2021 IN FA/3043/2021 WITH
CA/12849/2021 IN FA/3044/2021 WITH CA/12853/2021 IN
FA/3046/2021 WITH CA/12851/2021 IN FA/3045/2021

BALIRAM MARUTI DEVKAR (DIED) THR LRS. ANUSAYA
BALIRAMDEVKAR AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...

Advocate for Applicants : Mr. L. C. Patil
AGP for Respondent-State: Mr. S. N. Kendre

....

CORAM : SANDIPKUMAR C. MORE, J.
DATED : 28/04/2023.

P. C. :

A) ORDER IN CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT :

1. Heard rival submissions.
2. The respective applicants are seeking withdrawal of their respective compensation amounts, which have been deposited by the acquiring body alongwith the interest accrued thereon. It is to be noted here that the acquiring body has deposited 75% of the total compensation amounts alongwith the interest.
3. The learned counsel for the applicants placed on record copy of order dated 24/07/2015 whereby this court has dismissed other connected appeals filed by the acquiring body. As such, the applicants herein are permitted to withdraw the entire deposited amounts of compensation alongwith the interest accrued thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.
4. The civil applications are accordingly disposed of.

B) ORDER IN CIVIL APPLICATION NO.4342 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of respondent No.1-claimant Nabhaji Daula Lokhande, who admittedly died on 14/09/2016, by condoning the delay of 2295 days.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-B & C.

4. The appellant - acquiring body is directed to carry out the amendment forthwith. Application is accordingly disposed of.

C) ORDER IN CIVIL APPLICATION FOR STAY :

Since the applicant – acquiring body has deposited the amounts in all these matters as directed by this court, the applications are made absolute in terms of prayer clause-A and disposed of.

(SANDIPKUMAR C. MORE, J.)