

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

**(1) CIVIL APPLICATION NO.17388 OF 2022 IN
FIRST APPEAL ST. NO. 12182 OF 2021**

Madhukar Balbhim Jagtap

Applicant

Versus

The State of Maharashtra & others

Respondents

WITH

**(2) CIVIL APPLICATION NO.17386 OF 2022 IN
FIRST APPEAL ST. NO. 12326 OF 2021**

WITH

**(3) CIVIL APPLICATION NO.17385 OF 2022 IN
FIRST APPEAL ST. NO. 12331 OF 2021**

WITH

**(4) CIVIL APPLICATION NO.17387 OF 2022 IN
FIRST APPEAL ST. NO. 12336 OF 2021**

AND

**(5) CIVIL APPLICATION NO. 37 OF 2023 IN
FIRST APPEAL ST. NO. 13436 OF 2021**

WITH

**(6) CIVIL APPLICATION NO.36 OF 2023 IN
FIRST APPEAL ST. NO. 13595 OF 2021**

WITH

**(7) CIVIL APPLICATION NO.34 OF 2023 IN
FIRST APPEAL ST. NO. 13603 OF 2021**

WITH

**(8) CIVIL APPLICATION NO.35 OF 2023 IN
FIRST APPEAL ST. NO. 13591 OF 2021**

WITH

**(9) CIVIL APPLICATION NO.32 OF 2023 IN
FIRST APPEAL ST. NO. 13609 OF 2021**

AND

**(10) CIVIL APPLICATION NO.42 OF 2023 IN
FIRST APPEAL ST. NO. 29536 OF 2021**

AND

- (11) CIVIL APPLICATION NO. 44 OF 2023 IN
FIRST APPEAL ST. NO. 11081 OF 2021
WITH
(12) CIVIL APPLICATION NO.50 OF 2023 IN
FIRST APPEAL ST. NO. 11074 OF 2021
WITH
(13) CIVIL APPLICATION NO.47 OF 2023 IN
FIRST APPEAL ST. NO. 11046 OF 2021
WITH
(14) CIVIL APPLICATION NO.49 OF 2023 IN
FIRST APPEAL ST. NO. 11069 OF 2021
WITH
(15) CIVIL APPLICATION NO. 52 OF 2023 IN
FIRST APPEAL ST. NO. 11054 OF 2021
WITH
(16) CIVIL APPLICATION NO.48 OF 2023 IN
FIRST APPEAL ST. NO. 11086 OF 2021
AND
(17) CIVIL APPLICATION NO.59 OF 2023 IN
FIRST APPEAL ST. NO. 13899 OF 2021

Mr. A. S. More, advocate for the Applicant
Mr. S. W. Munde, Mr. A. B. Chate, Mr. B. V. Virdhe, Mr. S. N.
Kendre, AGPs for Respondents No.1 & 2.
Mr. A. M. Gaikwad, Ms. S. D. Shelke, Mr. S. G. Bhalerao and
Mr. G. B. Rajale, advocates for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 04th January, 2023.

PC :

Heard rival submissions.

In all these applications, the applicants are seeking permission to withdraw their respective amounts of compensation which the appellant-acquiring body has

deposited in this Court. The acquiring body has deposited 50% of the amount of the impugned awards.

The learned Counsel for the acquiring body strongly opposed the applications on the ground that the Reference Court has granted exorbitant amount of compensation.

However, this Court, under order dated 26th September, 2022, in other connected matters, has already permitted the applicants therein to withdraw entire amount of 50% as deposited by the acquiring body.

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

All these Civil Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO.8514 OF 2021 IN
FIRST APPEAL ST. NO. 12182 OF 2021**

The M. K. V. D. C., through
Executive Engineer, Sina Kolegaon
Project, Paranda & others

Applicants

Versus

Madhukar Balbhim Jagtap

Respondents

WITH

**(2) CIVIL APPLICATION NO.8531 OF 2021 IN
FIRST APPEAL ST. NO. 12326 OF 2021**

WITH

**(3) CIVIL APPLICATION NO.8521 OF 2021 IN
FIRST APPEAL ST. NO. 12331 OF 2021**

WITH

**(4) CIVIL APPLICATION NO.8516 OF 2021 IN
FIRST APPEAL ST. NO. 12336 OF 2021**

WITH

**(5) CIVIL APPLICATION NO. 8526 OF 2021 IN
FIRST APPEAL ST. NO. 12345 OF 2021**

WITH

**(6) CIVIL APPLICATION NO.8524 OF 2021 IN
FIRST APPEAL ST. NO. 12350 OF 2021**

WITH

**(7) CIVIL APPLICATION NO.8519 OF 2021 IN
FIRST APPEAL ST. NO. 12354 OF 2021**

WITH

**(8) CIVIL APPLICATION NO.8529 OF 2021 IN
FIRST APPEAL ST. NO. 12362 OF 2021**

AND

**(9) CIVIL APPLICATION NO.8473 OF 2021 IN
FIRST APPEAL ST. NO. 13436 OF 2021**

AND

- (10) CIVIL APPLICATION NO.8477 OF 2021 IN
FIRST APPEAL ST. NO. 13591 OF 2021
WITH
- (11) CIVIL APPLICATION NO. 8475 OF 2021 IN
FIRST APPEAL ST. NO. 13595 OF 2021
WITH
- (12) CIVIL APPLICATION NO.8481 OF 2021 IN
FIRST APPEAL ST. NO. 13603 OF 2021
WITH
- (13) CIVIL APPLICATION NO.8479 OF 2021 IN
FIRST APPEAL ST. NO. 13609 OF 2021
AND
- (14) CIVIL APPLICATION NO.13130 OF 2021 IN
FIRST APPEAL ST. NO. 29536 OF 2021
WITH
- (15) CIVIL APPLICATION NO. 13835 OF 2021 IN
FIRST APPEAL ST. NO. 10900 OF 2021
WITH
- (16) CIVIL APPLICATION NO.13841 OF 2021 IN
FIRST APPEAL ST. NO. 11046 OF 2021
WITH
- (17) CIVIL APPLICATION NO.13850 OF 2021 IN
FIRST APPEAL ST. NO. 11054 OF 2021
WITH
- (18) CIVIL APPLICATION NO. 13839 OF 2021 IN
FIRST APPEAL ST. NO. 11060 OF 2021
WITH
- (19) CIVIL APPLICATION NO. 13852 OF 2021 IN
FIRST APPEAL ST. NO. 11069 OF 2021
WITH
- (20) CIVIL APPLICATION NO. 13847 OF 2021 IN
FIRST APPEAL ST. NO. 11074 OF 2021
WITH
- (21) CIVIL APPLICATION NO. 13837 OF 2021 IN
FIRST APPEAL ST. NO. 11081 OF 2021
WITH
- (22) CIVIL APPLICATION NO. 13843 OF 2021 IN
FIRST APPEAL ST. NO. 11086 OF 2021
AND
- (23) CIVIL APPLICATION NO. 6743 OF 2021 IN

FIRST APPEAL ST. NO. 13899 OF 2021
WITH
(24) CIVIL APPLICATION NO. 6752 OF 2021 IN
FIRST APPEAL ST. NO. 13976 OF 2021
WITH
(25) CIVIL APPLICATION NO. 6748 OF 2021 IN
FIRST APPEAL T. NO. 13979 OF 2021
WITH
(26) CIVIL APPLICATION NO. 6745 OF 2021 IN
FIRST APPEAL ST. NO. 13982 OF 2021
WITH
(27) CIVIL APPLICATION NO. 6757 OF 2021 IN
FIRST APPEAL ST. NO. 13987 OF 2021
WITH
(28) CIVIL APPLICATION NO. 6763 OF 2021 IN
FIRST APPEAL ST. NO. 13990 OF 2021

Mr. A. M. Gaikwad, Ms. S. D. Shelke, Mr. S. G. Bhalerao and
Mr. G. B. Rajale, advocates for the Applicants
Mr. A. S. More, advocate for the Respondents-claimants.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 04th January, 2023.

PC :

The learned Counsel Mr. A. S. More waives service
for one of the unserved respondent-claimant in CA No. 8529
of 2021.

Heard rival submissions.

The applicant-acquiring body, in all these
applications, is seeking condonation of delay periods, as

mentioned therein, which appear to be caused due to obtaining approvals at various stages. There is no strong objection from the other side. As such, the delay periods, in all these applications stand condoned.

Appeals be placed for admission after removal of office objections, if any.

All these Civil Applications are accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO.8515 OF 2021 IN
FIRST APPEAL ST. NO. 12182 OF 2021**

The M. K. V. D. C., through
Executive Engineer, Sina Kolegaon
Project, Paranda & others

Applicants

Versus

Madhukar Balbhim Jagtap

Respondents

- WITH**
(2) CIVIL APPLICATION NO.8532 OF 2021 IN
FIRST APPEAL ST. NO. 12326 OF 2021
WITH
(3) CIVIL APPLICATION NO.8523 OF 2021 IN
FIRST APPEAL ST. NO. 12331 OF 2021
WITH
(4) CIVIL APPLICATION NO.8517 OF 2021 IN
FIRST APPEAL ST. NO. 12336 OF 2021
WITH
(5) CIVIL APPLICATION NO. 8527 OF 2021 IN
FIRST APPEAL ST. NO. 12345 OF 2021
WITH
(6) CIVIL APPLICATION NO.8525 OF 2021 IN
FIRST APPEAL ST. NO. 12350 OF 2021
WITH
(7) CIVIL APPLICATION NO.8520 OF 2021 IN
FIRST APPEAL ST. NO. 12354 OF 2021
WITH
(8) CIVIL APPLICATION NO.8530 OF 2021 IN
FIRST APPEAL ST. NO. 12362 OF 2021
AND
(9) CIVIL APPLICATION NO.8474 OF 2021 IN
FIRST APPEAL ST. NO. 13436 OF 2021
AND
(10) CIVIL APPLICATION NO.8478 OF 2021 IN
FIRST APPEAL ST. NO. 13591 OF 2021
WITH
(11) CIVIL APPLICATION NO. 8476 OF 2021 IN
FIRST APPEAL ST. NO. 13595 OF 2021

- WITH
(12) CIVIL APPLICATION NO.8482 OF 2021 IN
FIRST APPEAL ST. NO. 13603 OF 2021
WITH
(13) CIVIL APPLICATION NO.8480 OF 2021 IN
FIRST APPEAL ST. NO. 13609 OF 2021
AND
(14) CIVIL APPLICATION NO.13131 OF 2021 IN
FIRST APPEAL ST. NO. 29536 OF 2021
WITH
(15) CIVIL APPLICATION NO. 13836 OF 2021 IN
FIRST APPEAL ST. NO. 10900 OF 2021
WITH
(16) CIVIL APPLICATION NO.13842 OF 2021 IN
FIRST APPEAL ST. NO. 11046 OF 2021
WITH
(17) CIVIL APPLICATION NO.13851 OF 2021 IN
FIRST APPEAL ST. NO. 11054 OF 2021
WITH
(18) CIVIL APPLICATION NO. 13840 OF 2021 IN
FIRST APPEAL ST. NO. 11060 OF 2021
WITH
(19) CIVIL APPLICATION NO. 13853 OF 2021 IN
FIRST APPEAL ST. NO. 11069 OF 2021
WITH
(20) CIVIL APPLICATION NO. 13848 OF 2021 IN
FIRST APPEAL ST. NO. 11074 OF 2021
WITH
(21) CIVIL APPLICATION NO. 13838 OF 2021 IN
FIRST APPEAL ST. NO. 11081 OF 2021
WITH
(22) CIVIL APPLICATION NO. 13844 OF 2021 IN
FIRST APPEAL ST. NO. 11086 OF 2021
AND
(23) CIVIL APPLICATION NO. 6744 OF 2021 IN
FIRST APPEAL ST. NO. 13899 OF 2021
WITH
(24) CIVIL APPLICATION NO. 6754 OF 2021 IN
FIRST APPEAL ST. NO. 13976 OF 2021
WITH
(25) CIVIL APPLICATION NO. 6749 OF 2021 IN
FIRST APPEAL T. NO. 13979 OF 2021
WITH
(26) CIVIL APPLICATION NO. 6747 OF 2021 IN

**FIRST APPEAL ST. NO. 13982 OF 2021
WITH
(27) CIVIL APPLICATION NO. 6760 OF 2021 IN
FIRST APPEAL ST. NO. 13987 OF 2021
WITH
(28) CIVIL APPLICATION NO. 6764 OF 2021 IN
FIRST APPEAL ST. NO. 13990 OF 2021**

Mr. A. M. Gaikwad, Ms. S. D. Shelke, Mr. S. G. Bhalerao and Mr. G. B. Rajale, advocates for the Applicants
Mr. A. S. More, advocate for the Respondents-claimants.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 04th January, 2023.

PC :

The learned Counsel Mr. A. S. More waives service for one of the unserved respondent-claimant in CA No. 8530 of 2021.

Since the applicant-acquiring body has deposited the amounts of compensation along with interest, as directed by this Court, in all these applications, the applications are made absolute in terms of prayer clause "A" and are disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb