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21-CA-2380-2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 CIVIL APPLICATION NO. 2380 OF 2023
IN FA/1542/2021

Haridas Sakharam Salunke Died Thr Lrs Sujanabai Haridas Salunkhe And Ors

VERSUS

The State Of Maharashtra Thr The Collector, Osmanabad And Ors

WITH

CIVIL APPLICATION NO. 6775 OF 2023

IN FA/4482/2023

WITH

CIVIL APPLICATION NO. 6825 OF 2023

IN FA/1542/2021

WITH

CIVIL APPLICATION NO. 6857 OF 2023

IN FA/4478/2023

WITH

CIVIL APPLICATION NO. 6779 OF 2023

IN FA/4483/2023

WITH

CIVIL APPLICATION NO. 12821 OF 2023

IN FA/1542/2021

WITH

CIVIL APPLICATION NO. 12820 OF 2023

IN FA/1542/2021

Adv. Mrunal Andhare i/by Mr. Ajeet B. Kale, Advocate for Applicant.

Mr. R. K. Ingole, AGP for Respondent-State.

Ms. Sunita D. Shelke Advocate for Respondent No.3.

CORAM : KISHORE C. SANT, J.

DATE : 2nd DECEMBER 2024

PC :-

CIVIL APPLICATION NO. 6825 OF 2023

1. This application is for bringing on record the heirs of deceased Haridas Sakharam Salunkhe - original claimant, who died on 28th May 2020. He is survived by heirs shown in paragraph No.2 of the application. His son Dilip H. Salunkhe also died on 23rd August 2021. The applicants shown at serial Nos. 2.1 to 2.4 in the application are the heirs of predeceased son Dilip Salunkhe. There is delay of 298 days caused in filing the application.

2. For the reasons stated in the application, delay stands condoned. Application is allowed. Necessary amendment in the cause title of the appeal and application be carried out within a period of two weeks from today.

3. Application stands disposed off.

CIVIL APPLICATION NO.6857 OF 2023

1. The claimants expired during the pendency of the land acquisition proceedings. Reference Court has passed an order when the deceased/claimant was no more. Parties to take necessary steps.

2. Civil Application stands disposed off.

CIVIL APPLICATION NO.6775 OF 2023

1. This application is for bringing on record the heirs of deceased Pralhad Sadashiv Surwase, who died on 28th July 2022. The legal heirs are shown in paragraph No.2 of the application. The heirship certificate granted by the Sarpanch showing that the present applicants are the only legal heirs of the deceased. The delay of 145 days caused in filing application.
2. For the reasons stated in the application, delay stands condoned. Application is allowed.
3. The appellants to take necessary steps and to amend the title cause of the appeal and application within two weeks from today.
4. Application stands disposed off.

CIVIL APPLICATION NO.6779 OF 2023

1. This application is for bringing on record the heirs of deceased Parwatibai Baburao Surwase, who died on 1st April 2021. The applicants are shown at serial No. Ca to Cc. in the application, are the only heirs of the deceased Kamlakar Surwase. There are delay of 4066 and 316 days caused in

bringing on record the heirs of the deceased Kamlakar, is condoned. Application is allowed.

2. The heirs of deceased Kamlakar be shown in the cause title of the appeal and application within a period of two weeks from today.

3. In this, application stands allowed. The applicants are at liberty to make an application to remaining heirs.

4. The application stands disposed off.

CIVIL APPLICATION NO.2380 OF 2023

1. This application is for withdrawal of the amount deposited in this Court by the applicant/acquiring body. The learned Advocate for the applicants relied on the order dated 3rd November 2023 passed in Civil Application No.6776 of 2023 alongwith other connected applications. The applicants prayed for allowing the application. Since only 75% of the amount as per award was deposited, following order:

ORDER

(i) The applicants are permitted to withdraw 50% of the amount deposited in the office of this Court along with accrued interest as per impugned judgment and award on furnishing usual undertaking.

(ii) Further 25% of the amount deposited along with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(iii) With this, application stands allowed.

(iv) This 100% of the amount that is deposited in this Court is allowed to be withdrawn in the above terms.

(v) Application stands disposed off.

[KISHORE C. SANT, J.]

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