



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1004 CIVIL APPLICATION NO. 9069 OF 2024
IN FAST/21834/2023

Sayyad Isak Mahemud @ Isak Mahemud Sayyad And Ors

VERSUS

Union Of India Through General Manager And Ors

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Advocate for Applicant : Mr. Shirsat Suhas R

AGP for Respondents : Mr. V S Badakh

Advocate for Respondents 1,2 : Mr. Ajay G. Talhar

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WITH

CIVIL APPLICATION NO.9327/2023 IN FAST 21834/2023

WITH

CIVIL APPLICATION NO.9328/2023 IN FAST 21834/2023

CORAM : S. G. CHAPALGAONKAR, J.

Dated : August 23, 2024

PER COURT :-

1. The present appeals filed by the Acquiring Body against the award passed by the Tribunal.
2. Heard the learned Advocates appearing on behalf of the respective parties.
3. In applications for withdrawal of amount, the learned Advocate for the claimants has produced on record the order dated 3.11.2023 passed in CA No.6395/2023 in FAST 34981 of 2021 and other connected matters, wherein this Court has permitted claimants to withdraw entire amount of compensation deposited in this Court.

4. The learned Advocate appearing on behalf of the Acquiring Body has strongly opposed the application.

5. In view of the order passed earlier in above mentioned applications/appeal, since amounts are small and the small pieces of lands were acquired and compensation in the connected matters the applicants are permitted to withdraw the entire amount, withdrawal application is allowed. The applicants are permitted to withdraw entire amount of compensation deposited in this Court along with accrued interest thereon till date subject to satisfaction of the Registrar Judicial of this Court. Civil application for withdrawal of amount stands disposed of.

6. In Civil Application filed for condonation of delay in filing the appeal, for the reasons stated in the application and as there is no objection from the respondents to allow the application, the application for delay condonation is allowed and disposed of accordingly.

7. In Civil Application filed for Stay, the learned Advocate for the applicants submits that the amount has been deposited in this Court as per the directions of this Court. In view of the same, the Stay order passed by this Court dated 31/07/2023, in the application for stay, is confirmed. The application filed for Stay stand disposed of.

8. Appeal is admitted.

9. After admission of the appeal, the learned Advocates waive service of notice on behalf of respective respondents.

(S. G. CHAPALGAONKAR, J.)

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