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904ca11419.24

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 11418 OF 2024
IN FA/3574/2022

AND

FIRST APPEAL NO. 3569 OF 2022

AND

FIRST APPEAL NO. 3572 OF 2022

AND

FIRST APPEAL NO. 3570 OF 2022

AND

CIVIL APPLICATION NO. 9595 OF 2024
IN FA/3573/2022

AND

CIVIL APPLICATION NO. 9598 OF 2024
IN FA/3571/2022

AND

CIVIL APPLICATION NO. 9597 OF 2024
IN FA/3571/2022

AND

CIVIL APPLICATION NO. 11419 OF 2024
IN FA/3574/2022

RUDRAPPA MALAPPA WALE (DIED) THR. LRS SHREEDEVI V.
WALE AND ORS

....Applicants

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR,
OSMANABAD AND ORS

.....Respondents

Mrs. Sakshi Kale, Advocate h/f Mr. A. B.Kale, Advocate for the
applicants

Mr. A. M. Gaikwad, Advocate for the respondent No.3
Mr. K. B. Jadhavar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 20th DECEMBER, 2024

P. C.

CA/11419/2024

1. This application is by the legal representative of the deceased-Rudrappa Malappa Wale who died after the reference came to be decided. The present applicants are the only legal heirs of the deceased. There is delay of 1774 days caused in filing the present application.

2. For the reasons stated in the application, the delay stands condoned. The application stands allowed.

3. Necessary amendment be carried out in the appeal memo and applications within two weeks from today.

CA/9597/2024

1. This application is for bringing on record the legal

heirs of the deceased Kashinath Mahadappa Sarane who died on 18-10-2020 and his son Suresh also died on 08-06-2023. The application is therefore, filed for bringing on record their legal heirs. These present applicants are only the legal heirs of the Kashinath and Suresh.

2. For the reason stated in the application, the delay stands condoned. The application stands allowed.

3. Necessary amendment be carried out within four weeks from today.

CA/9595/2024

1. Remove from board.

CA/9598/2024 & CA/11418/2024

1. These applications are for withdrawal of the amount deposited by the acquiring body in the office of this court.

2. The learned advocate for the applicantS relies on the

order passed by this court dated 09-08-2024 in CA/8093/2024.

3. In view of the same, following order:-

ORDER

- a] The applications stand partly allowed.
- b] The applicants are permitted to withdraw 50% of the amount deposited in the office of this court alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the sanctification of the learned Registrar (Judicial) of this court. Remaining amount be kept in a fixed deposit in any nationalized bank till disposal of the appeal.
- c] With this, the applications stand disposed off.

APPEAL No.3574/2022 & APPEAL NO.3571/2022

1. Heard.
2. **Admit.**
3. Call R & P

[KISHORE C. SANT, J.]

VishalK/904ca11419.24