



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

**950 CIVIL APPLICATION NO. 15131 OF 2023
IN FAST/19978/2011**

VINOD LAXMAN GURME

VERSUS

THE EXE. ENGINEER, LATUR MINOR IRRIGATION, LATUR AND ANR

...

Advocate for Applicant : Mr. Sakolkar Vijay G.

AGP for Respondents-State : Ms. P. R. Bharaswadkar

Advocate for Respondent No.1 : Mr. M. G. Biradar h/f R. D. Biradar

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**WITH CIVIL APPLICATION NO. 13169 OF 2011
IN FAST/19978/2011**

**WITH CIVIL APPLICATION NO. 13170 OF 2011
IN FAST/19978/2011**

**WITH CIVIL APPLICATION NO. 13168 OF 2011
IN FAST/19978/2011**

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 14, 2024

PER COURT :-

1. Civil Application No.13169 of 2011 is filed for condonation of delay of 798 days caused in filing the First appeal. For the reasons stated in the application, the application for delay condonation is allowed and disposed of accordingly.
2. Civil Application No.15131 of 2023 is filed for withdrawal of amount of compensation. The learned Advocate for the applicants has produced on record the order dated 17/02/2021 in CA No.742 of 2019 in FAST/19966/2011 and other connected matters, wherein the applicants are permitted to withdraw 70% of the amount of compensation deposited in this.

3. In view of the same, the applicants are permitted to withdraw 70% of the amount of compensation deposited in this Court along with accrued interest thereon till date subject to filing of undertaking to the satisfaction of the Registrar (Judicial) of this Court.
4. Upon such undertaking is produced, the Registrar (Judicial) to disburse the amount as directed above. The civil application is disposed of accordingly.
5. Civil Application No.13168 of 2011 is filed for leave to file appeal. As the said application is not maintainable, the same is disposed accordingly.
6. The appeal is **Admitted.**
7. After admission, the learned AGP waives service of notice on behalf of respondents-State. The learned Advocate Mr. V. G. Sakolkar and learned Advocate Mr. M.G.Biradar holding for Mr. R.D.Biradar waives service of notice on behalf of respective respondents.
8. Call for record and proceedings.

(ARUN R. PEDNEKER, J.)