



(1)

28-CA-12701-2024

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

**28 CIVIL APPLICATION NO. 12701 OF 2024
IN FA/1087/2022**

Guruling Bhujanga @ Bhujangappa Sherikar And Ors
VERSUS
The State Of Maharashtra, Through The Collector, Osmanabad And Ors
WITH
FIRST APPEAL NO. 1088 OF 2022

M.k.v.d.c. Ltd., Thr Ex. Engineer, Irri. Project Stren. Div. Omerga
VERSUS
Bhimashappa Hiranappa Mule (dead) Thr Lrs Suresh Died Thr Lrs Shashikala
And Ors
WITH
FIRST APPEAL NO. 1089 OF 2022

M.k.v.d.c. Ltd., Thr Ex. Engineer, Irri. Project Stren. Div. Omerga
VERSUS
Dattatrya Basawanappa Barule Died Thr Lrs Sindhubai And Ors
WITH
CIVIL APPLICATION NO. 11150 OF 2024
IN FA/1090/2022

Gahininath Bhimrao Jomade (dead) Thr Lrs Shantabai And Ors
VERSUS
The State Of Maharashtra, Through The Collector, Osmanabad And Ors
WITH
CIVIL APPLICATION NO. 12703 OF 2024
IN FA/1091/2022

Shivkant Revanappa Mengshetty (dead) Thr Lrs Saroja And Ors
VERSUS
The State Of Maharashtra, Through The Collector, Osmanabad And Ors
WITH
CIVIL APPLICATION NO. 12702 OF 2024
IN FA/1086/2022

Vithal Bhimrao Jomade (dead) Thr Lrs Kasturbai And Ors
VERSUS
The State Of Maharashtra, Through The Collector, Osmanabad And Ors
WITH
CIVIL APPLICATION NO. 12704 OF 2024
IN FA/1085/2022

Sidramappa Revanappa Mengshetty Died Thr Lrs Hirabai Died Thr Lrs Varsha
And Ors
VERSUS
The State Of Maharashtra, Through The Collector, Osmanabad And Ors

Mr. Arjun R. Lukhe h/f Mr. A. S. Shelke for appellant.
Mr. Laxmikant C. Patil for Applicant in CA/12701/2024.
Mr.D. J. Patil AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 2nd DECEMBER 2024

PC :-

. Heard the learned Counsel for the parties.

CIVIL APPLICATION NO.12704 OF 2024

1. This application is filed for bringing on record the heirs of deceased Sidramappa s/o Revanappa Mengshetty, who died on 29th April 2021. The certificate issued by Sarpanch is annexed to the application showing that there are total six legal heirs. However, his wife Hirabai S. Mengshetty and one sone Dayanand S. Mengshetty expired before his death. The present applicant Nos. 3 to 6 thus only heirs of the deceased.
2. In view of the same, application stands allowed by condoning the delay

of 905 days for filing appeal.

3. Necessary amendment be carried out in the title causes of the appeal and applications.

CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT

1. These applications are for withdrawal of the amount. This Court has already passed an order in similar matters dated 17th October 2024 arising out of same acquisition proceedings in Civil Application No. 11145 of 2024 in First Appeal No.1088 of 2022.

2. In view of the same, following order:

ORDER

(i). The applicants are permitted to withdraw entire amount deposited by the acquiring body in the office of this Court alongwith accrued interest on furnishing usual undertaking.

(ii) All civil applications for withdrawal of amount stand allowed and disposed off.

[KISHORE C. SANT, J.]