



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

**956 CIVIL APPLICATION NO. 8052 OF 2025
IN FAST/6179/2024**

SAUDAGAR BHIMRAO KADAM

VERSUS

**THE STATE OF MAHARASHTRA THR COLLECTOR
OSMANABAD AND ORS**

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Advocate for Applicant/s : Adv. Praveen Baliram Rakhunde.
AGP for Respondent/s-State : Mr. D. B. Bhange.
Advocate for Respondent No.3 : Ms. Vaishali S. Swami h/f Mr.
Mahesh C. Swami For R/3.

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**WITH CIVIL APPLICATION NO. 4965 OF 2024
IN FAST/6179/2024
WITH CIVIL APPLICATION NO. 4966 OF 2024
IN FAST/6179/2024**

**THE EX.ENGINEER, M.I.D. OSMANABAD THROUGH GMIDC
AURANGABAD AND ORS**

VERSUS

SOUDAGAR BHIMRAO KADAM AND ORS

...

Advocate for Applicants : Ms. Vaishali S. Swami h/f Mr.
Mahesh C. Swami.

AGP for Respondent/s-State : Mr. D. B. Bhange.
Advocate for Respondent No.1 : Adv. Praveen Baliram
Rakhunde.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 01.08.2025**

PER COURT :-

1. Heard the respective parties.
2. The delay of 2821 days is sought to be condoned for the reasons stated in the civil application.

3. There is no serious dispute on the grounds mentioned in the application. I deem it fit to condone the delay.

4. Civil application for delay is allowed in terms of prayer clause "B".

In First Appeal

5. **Admit.**

6. Learned counsel Mr. Rakhunde waives service of notice for respondent No.1/claimant. Learned AGP waives service of notice for respondents/State Authorities.

7. Call for Record and Proceedings from the concerned Court.

8. Parties shall be at liberty to file relevant papers.

In Civil Application (Stay)

9. As the entire amount is deposited, ad-interim relief granted earlier, if any, shall stand confirm. Civil application for stay is disposed of.

In Civil Application (Withdrawal)

10. A meager amount is awarded by the Reference Court. Respondent/Executive Engineer, M.I.D., Osmanabad has deposited Rs.4,68,081/- which is sought to be withdrawn.

11. For the reasons stated in the application, interest of the justice would be subserved by permitting the applicant to receive the amount with accrued interest.

12. Civil application for withdrawal of amount is allowed by permitting the applicant to receive entire amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(SHAILESH P. BRAHME, J.)

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vmk/-