



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**904 CIVIL APPLICATION NO. 10116 OF 2024
IN FIRST APPEAL (ST) NO. 1619 OF 2021**

TATYARAO SHRIPATI PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
OSMANABAD AND OTHERS

...

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Applicant
Mr. Rahul A. Tambe – Advocate for Respondent No.3

....

AND

CIVIL APPLICATION NO. 3705 OF 2020 IN FAST/922/2018

...

Mr. Sadashiv S. Shete – Advocate for Applicant

....

AND

CIVIL APPLICATION NO. 1131 OF 2021 IN FAST/1535/2021

AND

CIVIL APPLICATION NO. 1135 OF 2021 IN FAST/1619/2021

...

Mr. Rahul A. Tambe – Advocate for Applicants
Mr. L.C. Patil – Advocate for sole Respondent

....

AND

CIVIL APPLICATION NO. 1137 OF 2021 IN FAST/1625/2021

...

Mr. Rahul A. Tambe – Advocate for Applicants

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AND

CIVIL APPLICATION NO. 1133 OF 2021 IN FAST/1634/2021

...

Mr. Rahul A. Tambe – Advocate for Applicants

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AND

CIVIL APPLICATION NO. 1165 OF 2021 IN FAST/1798/2021

...

Mr. Rahul A. Tambe – Advocate for Applicants
Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Respondent No.1A

....

AND

CIVIL APPLICATION NO. 1163 OF 2021 IN FAST/1935/2021

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...

Mr. Rahul A. Tambe – Advocate for Applicants

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AND

CIVIL APPLICATION NO. 5572 OF 2020 IN FAST/10660/2019

...

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Applicant

....

AND

CIVIL APPLICATION NO. 3828 OF 2022 IN FAST/15301/2021

AND

CIVIL APPLICATION NO. 3829 OF 2022 IN FAST/15301/2021

...

Mr. Satish B. Parnere – Advocate for Applicants

....

AND

CIVIL APPLICATION NO. 3832 OF 2022 IN FAST/15409/2021

AND

CIVIL APPLICATION NO. 3833 OF 2022 IN FAST/15409/2021

...

Mr. Satish B. Parnere – Advocate for Applicants

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Respondent No.1

....

AND

CIVIL APPLICATION NO. 3830 OF 2022 IN FAST/15412/2021

AND

CIVIL APPLICATION NO. 3831 OF 2022 IN FAST/15412/2021

...

Mr. Satish B. Parnere – Advocate for Applicants

....

AND

CIVIL APPLICATION NO. 9906 OF 2021 IN FA/2103/2021

AND

CIVIL APPLICATION NO. 9928 OF 2021 IN FA/2101/2021

AND

CIVIL APPLICATION NO. 9910 OF 2021 IN FA/2105/2021

AND

CIVIL APPLICATION NO. 9908 OF 2021 IN FA/2104/2021

...

Ms. Sunita D. Shelke – Advocate for Applicants

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for respective Respondents

....

AND

CIVIL APPLICATION NO. 10389 OF 2021 IN FA/2207/2021

...

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Ms. Sunita D. Shelke – Advocate for Applicants
Mr. L.C. Patil – Advocate for Respondents

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AND

CIVIL APPLICATION NO. 9544 OF 2024 IN FAST/1935/2021

AND

CIVIL APPLICATION NO. 10113 OF 2024 IN FAST/1625/2021

...

Mr. L.C. Patil – Advocate for Applicants
Mr. Rahul A. Tambe – Advocate for respective Respondents

....

AND

CIVIL APPLICATION NO. 9932 OF 2021 IN FA/2098/2021

AND

CIVIL APPLICATION NO. 9936 OF 2021 IN FA/2100/2021

AND

CIVIL APPLICATION NO. 9934 OF 2021 IN FA/2099/2021

...

Ms. Sunita D. Shelke – Advocate for Applicants
Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for sole Respondent

....

AND

CIVIL APPLICATION NO. 10687 OF 2021 IN FAST/23506/2021

AND

CIVIL APPLICATION NO. 10688 OF 2021 IN FAST/23506/2021

AND

CIVIL APPLICATION NO. 10727 OF 2021 IN FAST/23510/2021

AND

CIVIL APPLICATION NO. 10728 OF 2021 IN FAST/23510/2021

AND

CIVIL APPLICATION NO. 10689 OF 2021 IN FAST/23567/2021

AND

CIVIL APPLICATION NO. 10690 OF 2021 IN FAST/23567/2021

...

Mr. Laxmikant C. Patil – Advocate for respective Respondents

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AND

CIVIL APPLICATION NO. 10691 OF 2021 IN FAST/23570/2021

AND

CIVIL APPLICATION NO. 10692 OF 2021 IN FAST/23570/2021

AND

CIVIL APPLICATION NO. 10729 OF 2021 IN FAST/23589/2021

AND

CIVIL APPLICATION NO. 10730 OF 2021 IN FAST/23589/2021

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AND

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CIVIL APPLICATION NO. 159 OF 2021 IN FAST/22760/2020

...

Mr. Mukul S. Kulkarni – Advocate for Applicants

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Respondent No.1

....

AND

FIRST APPEAL NO. 1466 OF 2015

...

Mr. Mukul S. Kulkarni – Advocate for Applicants

....

AND

CIVIL APPLICATION NO. 163 OF 2021 IN FAST/23485/2020

...

Mr. Mukul S. Kulkarni – Advocate for Applicants

Mr. Laxmikant C. Patil – Advocate for Respondent No.1

....

AND

CIVIL APPLICATION NO. 161 OF 2021 IN FAST/23489/2020

...

Mr. Mukul S. Kulkarni – Advocate for Applicants

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Respondent No.1

....

AND

CIVIL APPLICATION NO. 9547 OF 2024 IN FAST/1935/2021

AND

CIVIL APPLICATION NO. 10117 OF 2024 IN FAST/1535/2021

AND

CIVIL APPLICATION NO. 10115 OF 2024 IN FAST/1634/2021

AND

CIVIL APPLICATION NO. 9548 OF 2024 IN FAST/1798/2021

AND

CIVIL APPLICATION NO. 9545 OF 2024 IN FAST/1935/2021

AND

CIVIL APPLICATION NO. 10114 OF 2024 IN FAST/1634/2021

...

Mr. Yash Pareek h/f. Mr. A.B. Kale – Advocate for Applicants

Mr. Rahul A. Tambe – Advocate for Respondent No.3

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Mr. Dnyaneshwar J. Patil – AGP for Respondents, State in all the matters

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 28th JANUARY 2025

PER COURT :-

1. Today, the learned advocates Ms. Sunita D. Shelke and Mr. Rahul A. Tambe, have moved these matters in chamber for modification of order dated 16.01.2025, more particularly, paragraph Nos. 10 and 11 thereof. It has been pointed out that the last sentence of para 10 of the said order is wrongly typed as "*In view of the said statement, the applications are disposed of as infructuous*" instead "In view of the said statement, the stay granted earlier stands confirmed till disposal of the first appeals. Civil applications are disposed of."

2. In the light of above, last sentence of para 10 of the said order dated 16.01.2025, shall read as "**In view of the said statement, the stay granted earlier stands confirmed till disposal of the first appeals. Civil applications are disposed of.**"

3. In so far as para Nos. 11 and 12 are concerned, they are modified as under:-

"11. In so far as Civil Application Nos.1131, 1135, 1137, 1133, 1165 and 1163 of 2021, filed for condonation of delay are concerned, heard learned advocates for both the parties. For the reasons stated in the said applications, the same are allowed. Delay caused in filing

the first appeals stands condoned.

4. In so far as civil application Nos. 1132, 1136, 1138, 1134, 1166 and 1164 of 2021 which were filed for granting stay to the impugned judgment and award are concerned, learned advocate Mr. Tambe, makes a statement that entire amount as directed by this Court vide order dated 25.1.2021 has been deposited and out of the said amount, 75% of the amount has already been withdrawn by the original claimants. In view of the said statement, the interim stay granted to the execution of the impugned judgment and award shall operate till the disposal of the respective first appeals.

5. The paragraph Nos. 10, 11 and 12 of the order dated 16.01.2025 stand modified and corrected to the above extent only.

(SANJAY A. DESHMUKH, J.)

rlj/