



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7025 OF 2023
IN FAST/16382/2023

The Executive Engineer,
Minor Irrigation Division, Osmanabad,
Tq. And Dist. Osmanabad
& others

..... Applicants

VERSUS

Chandrakant Gajrant Shinded
(Deceased through LRs) & others

..... Respondents

Mr. S. P. Sonpawale, Advocate for Applicants.
Mr. K. N. Lokhande, AGP for the State.
Mr. P. B. Rakhunde, Advocate for Respondent Nos. 1 to 4.

CORAM : R. M. JOSHI, J.
DATE : 25th JULY, 2025.

PER COURT :

1. This Application is for condonation of delay of 2562 days caused in filing the Appeal.

2. It is the contention of the Applicants that owing to the administrative difficulties, the Appeal could not be filed in time. Hence, delay be condoned.

3. Learned counsel for Applicants submits that the appeals out of the same acquisition are already admitted and that no prejudice will be caused to the Respondents if delay is condoned.

4. Learned counsel for Respondents opposed the Application.

5. Perusal of Application does not indicate that there are any malafides attributable to the Applicants in not filing the Appeal in time. In any case, since the issue in respect of public exchequer is involved herein, Application stands allowed.

6. Appeal be registered.

(R. M. JOSHI)
Judge

dyb

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7708 OF 2025
IN FAST/16382/2023

Chandrakant Gajarang Shinde
(Deceased through LRs) & others

....Applicants

VERSUS

The State of Maharashtra
& others

.....Respondents

.....

Mr. P. B. Rakhunde, Advocate for Applicants.

Mr. K. N. Lokhande, AGP for the State.

Mr. S. P. Sonpawale, Advocate for Respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 25th JULY, 2025.

PER COURT :

1. This is an Application for withdrawal of amount deposited by the Appellants.

2. Learned counsel for Applicants makes a statement that in similarly placed matters, Applications are allowed by granting withdrawal of entire amount on submitting undertaking to extent of 50% of the amount and solvent surety on the remaining amount.

3. Learned counsel for Appellants does not dispute the said position.

4. In view of above, Application stands allowed. Applicants are permitted to withdraw 50% amount on furnishing usual undertaking and remaining 50% amount along with interest accrued on furnishing solvent surety.

5. In view of above, the Application is disposed of. Interim relief stands confirmed.

(R. M. JOSHI)
Judge

dyb