



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

**926 CIVIL APPLICATION NO. 1865 OF 2025
IN FAST/16109/2023**

Chandrakant Anandrao Chede

VERSUS

The State Of Maharashtra Through The Collector And Ors

...

Advocate for Applicant : Mr. Thakur Laxmi Rajendra

AGP for Respondent/State : Mr.S.P. Joshi

Advocate for Respondent No.3 : Mr. Bhushan V. Virdhe

...

WITH

**CIVIL APPLICATION NO. 7000 OF 2023
IN FAST/16106/2023**

The Executive Engineer Irrigation Department At Osmanabad
Dist Osmanabad

VERSUS

Shrikant Anandrao Chede And Ors

WITH

**CIVIL APPLICATION NO. 7001 OF 2023
IN FAST/16106/2023**

The Executive Engineer Irrigation Department At Osmanabad
Dist Osmanabad

VERSUS

Shrikant Anandrao Chede And Ors

...

WITH

**CIVIL APPLICATION NO. 6998 OF 2023
IN FAST/16109/2023**

The Executive Engineer Irrigation Department At Osmanabad
Dist Osmanabad

VERSUS

Chandrakan Anandrao Chede And Ors

...

**WITH
CIVIL APPLICATION NO. 6999 OF 2023
IN FAST/16109/2023**

The Executive Engineer Irrigation Department At Osmanabad
Dist Osmanabad

VERSUS

Chandrakant Anandrao Chede And Ors

**WITH
CIVIL APPLICATION NO. 1866 OF 2025
IN FAST/16106/2023**

Shirikant Anandrao Chede

VERSUS

The State Of Maharashtra Thr The Collector, Osmanabad And
Ors

.....

CORAM : ROHIT W. JOSHI, J.

Dated : 27th FEBRUARY, 2025

PER COURT :-

**CIVIL APPLICATION NO. 7000 OF 2023
CIVIL APPLICATION NO. 6998 OF 2023**

1. Heard the learned Advocates appearing for the respective parties.

2. By these applications, the applicants seek to condone the delay of 301 days caused in filing the Appeals under the provisions of Land Acquisition Act.

3. The delay is explained by expressing difficulties pertaining to formalities, office procedure and procurement of

court fees. The applications are supported by affirmation. The contesting respondents have not filed reply opposing the applications.

4. For the reasons mentioned in the applications, I am inclined to condone the delay. Hence, following order:

ORDER

- a. Civil Applications are allowed.
- b. Delay of 301 days caused in filing the Appeals is hereby condoned.
- c. Appeals be registered.
- d. Civil Applications are **disposed of**.

APPEALS :

FIRST APPEAL STAMP NO.16109 OF 2023
AND
FIRST APPEAL STAMP NO.16106 OF 2023

1. Heard.
2. **Admit.**
3. Issue notice to respondents. Learned AGP waives service of notice for respondent/State.
4. Appellants are permitted to serve respondents by all permissible modes in addition to regular mode of service.

5. Call Record and Proceeding.

CIVIL APPLICATION NO. 7001 OF 2023
CIVIL APPLICATION NO. 6999 OF 2023

In view of the fact that the entire amount awarded by the Reference Court is deposited by the applicants along with accrued interest, the applications for stay are allowed. The execution of the impugned judgment and award shall stand stayed till the final disposal of the appeals, subject to right of respondent no.1/landowner to seek withdrawal of the amount.

2. Civil Applications are disposed of.

CIVIL APPLICATION NO. 1865 OF 2025
CIVIL APPLICATION NO. 1866 OF 2025

1. Respondents in Appeals who are the land owners and original petitioners in Land Acquisition References have moved the present applications for withdrawal of the amount deposited by the acquiring body with this Court in compliance of order granting stay to the execution of the impugned judgment and award passed by the Reference Court. The

appellant was directed to deposit entire amount of compensation as directed by the learned reference Court along with accrued interest. The appellant has deposited the said amount with this Court.

2. The learned Counsel for the applicants/respondents in Appeals contends that in connected matters i.e. Civil Application No.1159/2024 in First Appeal No.3442/2022 and other connected matters, vide order dated 03.02.2025 and also vide order dated 11th August, 2023 in Civil Application No.7264/2023 and other connected matters, the entire amount deposited is allowed to be withdrawn, 75% on usual undertaking and 25% on furnishing solvent surety/security.

3. In view of the above, the present applications are allowed. The applicants are permitted to withdraw the entire amount deposited by the appellant along with accrued interest, 75% on usual undertaking and 25% on furnishing solvent surety/security.

4. Civil Applications are disposed of.

(ROHIT W. JOSHI, J.)