



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

**925 CIVIL APPLICATION NO. 9734 OF 2023
IN FAST/19514/2023**

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD

VERSUS

BABU NIVRUTTI BHOSALE AND ORS

...

Advocate for Applicant : Mr.Swami Mahesh Chandrashekhar
AGP for Respondent/State : Mr.S.S. Dande

WITH

**CIVIL APPLICATION NO. 9735 OF 2023
IN FAST/19514/2023**

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD

VERSUS

BABU NIVRUTTI BHOSALE AND ORS

...

WITH

**CIVIL APPLICATION NO. 9742 OF 2023
IN FAST/19517/2023**

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD

VERSUS

SUDHAKAR NIRAJI BHOSALE AND ORS

...

Advocate for Applicant : Mr. Swami Mahesh Chandrashekhar
AGP for Respondent/State : Mr.S.S. Dande
Advocate for Respondent No.1 : Mr. A.B. Kale

WITH

**CIVIL APPLICATION NO. 9743 OF 2023
IN FAST/19517/2023**

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD

VERSUS

SUDHAKAR NIRAJI BHOSALE AND ORS

...

Advocate for Applicant : Mr. Swami Mahesh Chandrashekhar

AGP for Respondent/State : Mr. S.S. Dande
Advocate for Respondent No.1 : Mr. A.B. Kale

WITH
CIVIL APPLICATION NO. 9740 OF 2023
IN FAST/19523/2023

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD
VERSUS
PANDURANG LAXMAN BHOSALE AND ORS

...
Advocate for Applicant : Mr. Swami Mahesh Chandrashekhar

WITH
CIVIL APPLICATION NO. 9741 OF 2023
IN FAST/19523/2023

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD
VERSUS
PANDURANG LAXMAN BHOSALE AND ORS

...
Advocate for Applicant : Mr. Swami Mahesh Chandrashekhar

WITH
CIVIL APPLICATION NO. 9738 OF 2023
IN FAST/19529/2023

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD
VERSUS
FULCHAND VITTHALRAO SURWASE AND ORS

...
Advocate for Applicant : Mr. Swami Mahesh Chandrashekhar
AGP for Respondent/State : Mr. S.S. Dande
Advocate for Respondent No.1 : Mr. A.B. Kale

WITH
CIVIL APPLICATION NO. 9739 OF 2023
IN FAST/19529/2023

THE EX. ENGINEER, MINOR IRRIGATION DIV.
OSMANABAD THR G.M.I.D.C, AURANGABAD
VERSUS
FULCHAND VITTHALRAO SURWASE AND ORS

...

Advocate for Applicant : Mr. Swami Mahesh Chandrashekhar
 AGP for Respondent/State : Mr. S.S. Dande
 Advocate for Respondent No.1 : Mr. A.B. Kale

WITH

CIVIL APPLICATION NO. 11425 OF 2024

IN FAST/19529/2023

FULCHAND VITTHALRAO SURWASE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE
 COLLECTOR OSMANABAD AND ORS

...

Advocate for Applicant : Mr. Ajeet Babanrao Kale
 AGP for Respondent/State : Mr. S.S. Dande

WITH

CIVIL APPLICATION NO. 11426 OF 2024

IN FAST/19517/2023

SUDHAKAR NIRAJI BHOSALE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE
 COLLECTOR OSMANABAD AND ORS

...

Advocate for Applicant : Mr. Ajeet Babanrao Kale
 AGP for Respondent/State : Mr. S.S. Dande

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CORAM : ROHIT W. JOSHI, J.

Dated : 5th MARCH, 2025

PER COURT :-

**Civil Application Nos. 9734/2023, 9742/2023, 9740/2023
 AND 9738/2023 :-**

These are the applications for condonation of delay of 1686 days in filing the first appeals. It is informed that in similar matters delay of almost the same period is condoned and the appeals are admitted. In that view of the matter, the

applications for condonation of delay are allowed subject to deposit of cost of Rs.10,000/- in each matter with the Chairman, Library Committee, Advocates Association of Bombay High Court at Aurangabad. Cost be deposited within a period of 10 weeks from today.

2. The civil applications are disposed of.

FIRST APPEAL (STAMP) NOS. 19514/2023, 19517/2023, 19523/2023, 19529/2023, 19529/2023:-

Heard.

2. Appeals are admitted.

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. 11425/2024

Civil Application No.11426/2024

. The appellants in respective appeals have deposited entire amount of compensation as awarded under the impugned judgment and award in compliance of order granting interim-stay to the execution of the said judgment

and award.

2. Land owners, who are respondents in the appeal have moved present applications seeking permission to withdraw the deposited amount.

3. It is informed by both the learned Advocates that in similar matters, 75% of the amount deposited alongwith accrued interest is permitted to be withdrawn, 50% on furnishing usual undertaking and 25% on furnishing solvent surety/security.

4. In view of the above, present Civil Applications are also **disposed of** by permitting the respondents/land owners to withdraw 75% of the amount deposited alongwith accrued interest, 50% on furnishing usual undertaking and 25% on furnishing solvent surety/security.

(ROHIT W. JOSHI, J)