



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO. 543 OF 2025 IN FA/106/2025 (I.Rs.)
WITH
CIVIL APPLICATION NO. 8646 OF 2024 IN FA/106/2025
(withdrawal)

Aanandrao Ganpati Barkade Died Through his Legal Heirs Suman
Anandrao Barkade and others.

VERSUS

The State Of Maharashtra Through The Collector Osmanabad And
Ors

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Advocate for Applicant : Mr. M.K.Jadhav h/f More Abhijit S.

AGP for Respondents: Mr. D B Bhange

Advocate for Respondent 2 : Mr.A R Lukhe h/f A.S.Shelke

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WITH

CIVIL APPLICATION NO. 13793 OF 2023 (stay) IN FA/106/2025

CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 07, 2025

ORDER :-

CA for L.Rs. :-

1. Heard learned advocates appearing for the respective parties.
2. The applicants seeks to bring on record L.Rs. of deceased Anandrao Ganpati Barkade/appellant, who died on 2.9.2024 leaving behind legal heirs as stipulated in title clause of this application. Death certificate dated 30.9.2024 is annexed alongwith the application.
3. In that view of the matter, case is made out to allow the application. Consequently, application is allowed in terms of prayer clause 'B' and 'C'. Amendment be carried out within a period of two weeks. CA stands disposed off.

CA for withdrawal of the amount.

1. Heard the learned counsel for the applicants and the learned counsel for the respondents.
2. As per this Court order dated 7th February 2023, the respondent/acquiring body have deposited 60% of the amount of the impugned award with proportionate interest accrued thereon. The applicants are the land owners whose lands have been acquired. Hence, the application deserves to be allowed. Hence the following order :-

ORDER

- (i) The application is allowed.
- (ii) The applicants are allowed to withdraw the entire amount deposited with proportionate interest on the undertaking that they would deposit the amount if the award is reversed.

CA for Stay :-

Learned counsel appearing for the applicant submits that as directed by this Court, 60% of amount of compensation has been deposited with the Registry of this Court.

Statement is not disputed by the learned counsel appearing for the respondents/claimants.

In that view of the matter, application is allowed in terms of prayer clause 'B' and disposed of.

(S. G. CHAPALGAONKAR, J.)

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