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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

12 CIVIL APPLICATION NO. 260 OF 2025
IN FAST/33533/2022

Machindra Ganpati Jagtap Died Through His Legal Heirs 1a Gorakh
Machindra Jagtap And Ors

VERSUS

The State of Maharashtra Through Collector At Osmanabad And Ors

...

Advocate for Applicant : Mr. More Abhijit S

AGP for Respondent Nos. 1 and 2: Mr. D.J. Patil

Advocate for Respondent No.3 : Mr. G.B. Rajale

...

AND

CIVIL APPLICATION NO. 261 OF 2025
IN FAST/33533/2022

The Executive Engineer, Osmanabad Medium Project Division ,
Osmanabad Dist Osmanabad

VERSUS

Machindra Ganpati Jagtap Died Thr Lrs Gorakh And Ors

...

AND

CIVIL APPLICATION NO. 609 OF 2023
IN FAST/33533/2022

The Executive Engineer, Osmanabad Medium Project Division ,
Osmanabad , Dist -Osmanabad

VERSUS

Machindra Ganpati Jagatp

...

AND

CIVIL APPLICATION NO. 610 OF 2023
IN FAST/33533/2022

The Executive Engineer, Osmanabad Medium Project Division
Osmanabad Dist Osmanabad ,

VERSUS

Machindra Ganpati Jagtap

...

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AND
CIVIL APPLICATION NO. 611 OF 2023
IN FAST/33536/2022

The Executive Engineer, Osmanabad Medium Project Division ,
Osmanabad Dist Osmanabad

VERSUS

Ashish Narayan Rathod

...

AND
CIVIL APPLICATION NO. 612 OF 2023
IN FAST/33536/2022

The Executive Engineer, Osmanabad Medium Project Division
Osmanabad, Dist Osmanabad

VERSUS

Ashish Narayan Rathod

...

Advocate for Applicant : Mr. G.B. Rajale
Advocate for Respondent-claimants : Mr. A.S. More
AGP for Respondent-State: Mr. D.J. Patil

.....

AND
CIVIL APPLICATION NO. 489 OF 2025
IN FAST/33533/2022

Machindra Ganpati Jagtap Died Through His Legal Heirs 1 A Gorakh
Machindra Jagtap And Ors

VERSUS

The State of Maharashtra Through Collector At Osmanabad And Ors

...

Advocate for Applicant : Mr. More Abhijit S
AGP for Respondent Nos. 1 and 2: Mr. D.J. Patil
Advocate for Respondent No.3 : Mr. G.B. Rajale

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 13th JANUARY 2025

PER COURT :-

1. Learned counsel for the applicant submits that he does not

press the civil application No. 260 of 2025. In view of same, civil application No.260 of 2025 stands disposed of as not pressed.

2. Civil application No.261 of 2025 is concerned, the same is filed for bringing the legal representatives of deceased respondent No.1 Machindra, on record. Perused the application. Heard both sides. For the reasons stated in the application, application is allowed. Delay is condoned. Abatement is set aside.

3. In so far as the civil applications filed for condonation of delay caused in filing the first appeals are concerned, heard both sides. Perused the contents of the applications. The learned advocate for the applicant submits that, delay has been caused on account of certain administrative difficulties. Learned counsel for the applicants prays that in the interest of justice, delay may be condoned.

4. In view of above, civil applications are allowed. Delay caused in filing the first appeals is condoned subject to condition that the applicant-acquiring body shall deposit an amount of Rs.3,000/- (Rupees Thousand only) to Zilla Parishad Primary School, Chikalthana, Tq. Kannad, district Chhatrapati Sambhajinagar, in its account with ICICI Bank, bearing account No. 375401004083. The

Head Master of the said school, whose mobile number is 8857882190, is directed that with the help of other teachers and the students of the school, she will plant some fruit bearing trees in the school premises by utilizing the aforesaid amount of Rs.3,000/-.

5. It is expected that the students and teachers shall take utmost care to grow and maintain those fruit bearing trees, particularly from the month of February, 2025 to July, 2025 by providing water etc. to the said trees. It is expected that they shall form a team of the students, which will fetch water in the bottles and serve the same to the trees.

6. It is also directed that the fruits of those trees shall not be sold and those shall be provided to the students.

7. The Head Master of the school to report the progress of the said trees to the Registrar (Judicial) of this Court once in a year in the month of June, for a period of five years with photographs of the trees.

8. In so far as the civil applications filed for stay are concerned, in view of the earlier order passed in other connected matters, the applications are made absolute in terms of prayer clause

“B” subject to deposit of 75% of the amount of compensation under the impugned award within a period of ten weeks from today.

(SANJAY A. DESHMUKH, J.)

rlj/