



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

**67 CIVIL APPLICATION NO. 13809 OF 2025
IN FAST/13211/2023**

**BAPURAO BABARAO JADHAV DIED THROUGH LRS JAYSING
BAPURAO JADHAV**

VERSUS

**THE EXECUTIVE ENGINEER OSMANABAD MEDIUM PROJECT
KRISHNA KHORE VIKAS MAHAMANDAL OSMANABAD**

**WITH CIVIL APPLICATION NO. 13806 OF 2025 IN
FAST/13217/2023 WITH CIVIL APPLICATION NO. 13808 OF
2025 IN FAST/13211/2023 WITH CIVIL APPLICATION NO.
13807 OF 2025 IN FAST/13217/2023 WITH CIVIL
APPLICATION NO. 5340 OF 2023 IN FAST/13211/2023 WITH
CIVIL APPLICATION NO. 5341 OF 2023 IN FAST/13211/2023
WITH CIVIL APPLICATION NO. 5338 OF 2023 IN
FAST/13217/2023 WITH CIVIL APPLICATION NO. 5339 OF
2023 IN FAST/13217/2023**

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Advocate for Applicant/s : Mr. Vivekanand B. Deshmukh.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.1 : Ms. Sunita D. Shelke.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18.12.2025

PER COURT :-

Civil Application No.13809 of 2025

Civil Application No.13806 of 2025

1. The applicants are seeking condonation of delay of 2160 and 2175 days respectively in setting aside abatement, bringing legal heirs on record due to death of sole claimant Bapurao Babarao Jadhav.
2. In both matters, sole claimant died and legal heirs are necessary parties. The delay is unintentional.

3. Civil applications are allowed in terms of prayer clauses “B” and “C”.

4. Both parties shall be at liberty to carry out amendment.

Civil Applications for Withdrawal

5. Heard both sides.

6. The acquiring body has deposited amount of Rs.35,40,065/- in aggregate in both appeals. The original claimant is the common who is survived by the legal heirs who are claiming disbursement of the amount. The acquiring body has deposited only 75% of the amount with accrued interest.

7. Civil applications are allowed partly permitting the applicants to receive the amount with accrued interest on furnishing undertaking.

Civil Applications for Delay

8. Applicants seek to condone delay of 2654 days in preferring appeals.

9. The applications have not been contested by the respondents/claimants.

10. There are no malafides on the part of the acquiring body in preferring appeals belatedly. The delay stands condoned.

11. Civil applications are allowed.

First Appeals

12. **Admit.**

13. Learned counsel Mr. Deshmukh waives service of notice for respondents/claimants.

14. Call for Record and Proceedings from the concerned Court.

15. Print is dispensed with.

Civil Applications for Stay

16. As the acquiring body has deposited amount in pursuance of the orders of this Court, ad-interim relief granted earlier shall stand confirm.

17. Civil applications for stay are disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-