

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 CIVIL APPLICATION NO. 2918 OF 2024
IN FAST/5069/2019
WITH
CIVIL APPLICATION NO. 2922 OF 2024
IN FAST/4967/2019
WITH
CIVIL APPLICATION NO. 3473 OF 2019
IN FAST/4967/2019
WITH
CIVIL APPLICATION NO. 3474 OF 2019
IN FAST/4967/2019
WITH
CIVIL APPLICATION NO. 2921 OF 2024
IN FAST/4967/2019
WITH
CIVIL APPLICATION NO. 3475 OF 2019
IN FAST/5069/2019
WITH
CIVIL APPLICATION NO. 3476 OF 2019
IN FAST/5069/2019

WAMAN NAMDEO WAGHMARE DIED THR LRS KAMAL
WAMAN WAGHMARE DIED THR LRS DAYANAND W.
WAGHMARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. L.C. Patil, Advocate for the applicants.
Mr. D.J. Patil, A.G.P. for respondents State.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 31 JANUARY 2025.

ORDER:-

IN CIVIL APPLICATION NO. 2918 OF 2024 AND CIVIL
APPLICATION NO.2921 OF 2024 :

1. Heard rival submissions.

2. The respective applicants in both these applications are seeking withdrawal of their amounts of compensation, which have been deposited by the acquiring body alongwith the interest accrued thereon.

3. The learned counsel for the Acquiring Body opposed the applications on the ground that the reference court has granted exorbitant amount of compensation, which is almost six times of the amount granted by SLAO.

4. In view of the same, the present applicants are permitted to withdraw 75% of their respective compensation amounts alongwith the proportionate interest accrued thereon till date, on usual undertaking to the satisfaction of the Registrar (Judicial) of this court and remaining 25% amounts be kept in F.D.R. in any Nationalized Bank on yearly renewal basis, till final disposal of appeals.

5. The civil applications are accordingly disposed of.

IN CIVIL APPLICATION NO. 3473 OF 2019 AND CIVIL APPLICATION NO. 3475 OF 2019 :

. The appellant – Acquiring Body is seeking condonation of delay of 2244 days in these applications, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of

2244 days stands condoned.

2. The appeals be placed for admission after removal of office objections, if any.

3. Applications are accordingly disposed of.

IN CIVIL APPLICATION NO. 2922 OF 2024 :

. It appears that the legal heirs of deceased respondent No.1 Claimant are already brought on record under order dated 13.12.2024. As such, the present application stands disposed of being infructuous.

IN CIVIL APPLICATION NO. 3474 OF 2019 AND CIVIL APPLICATION NO. 3476 OF 2019 :

. Since the appellant Acquiring Body has deposited entire amount of compensation in both these applications, the applications are therefore disposed of.

(SANDIPKUMAR C. MORE, J.)