



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 CIVIL APPLICATION NO. 353 OF 2025
IN FAST/14571/2019

Pandu Devrao Mane

VERSUS

The State of Maharashtra, Through Collector, Latur And Ors

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Advocate for Applicant : Mr. H.B. Nandagawale h/f Mr. V.G. Sakolkar

AGP for Respondents: Mr. D.J. Patil

Advocate for Respondent No.2 : Mr. S.G. Sangle

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AND

CIVIL APPLICATION NO. 5998 OF 2020
IN FAST/14571/2019

Executive Engineer, Medium Project Latur Thr Ex. Engineer, Latur
Minor Irrigation Division, Latur

VERSUS

Pandu Devrao Mane And Anr

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AND

CIVIL APPLICATION NO. 5999 OF 2020
IN FAST/14571/2019

Executive Engineer, Medium Project Latur Thr Ex. Engineer, Latur
Minor Irrigation Division, Latur

VERSUS

Pandu Devrao Mane And Anr

...

Advocate for Applicant : Mr. Sangle Shirish G.

Advocate for Respondent No.1 : Mr. H.B. Nandagawale h/f Mr. V.G. Sakolkar

AGP for Respondent No.2: Mr. D.J. Patil

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 13th JANUARY 2025

PER COURT :-

1. The civil application No. 353 of 2025 is filed for withdrawal of the amount. Perused the application and heard learned advocate

for both the sides. Considering the reasons stated in the application, the application is allowed. The applicant is permitted to withdraw 75% of the amount deposited by the acquiring body, with accrued interest thereon, on furnishing usual undertaking for 50% of amount and on furnishing solvent surety/security for 25% of the amount. The balance amount of 25% be invested in fixed deposit in any Nationalized Bank, initially for a period of three years. The fixed deposit shall be renewed thereafter until disposal of the appeal.

2. In so far as the civil application No.5998 of 2020 filed for condonation of delay of 1545 days caused in filing the first appeal is concerned, heard both sides. Perused the contents of the application. The learned counsel for the applicant submits that, delay has been occurred on account of certain administrative difficulties. Learned counsel for the applicant submits that the delay may be condoned.

3. In view of above, civil application is allowed. Delay caused in filing the first appeal 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, Shelgaon, Tq. Phulambri, district Chhatrapati Sambhajinagar, in its account with ICICI Bank, bearing account No. 177901002801. The Head Master

of the said school, whose mobile number is 7020112450, is directed that with the help of other teachers and the students of the school, he will plant some fruit bearing trees in the school premises by utilizing the aforesaid amount of Rs.3,000/-.

4. 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.

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

6. 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.

7. In so far as the civil application filed for stay is concerned, since entire amount under award is deposited, the civil application is allowed in terms of prayer clause "B" and disposed of .

8. First appeal St. No. 14571 of 2019 is concerned, **admit**.
Call for record and proceedings. Learned advocate waives service for
respondent No.1 and learned A.G.P. waives notice for respondent
No.2.

(SANJAY A. DESHMUKH, J.)

rlj/