



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

**933 CIVIL APPLICATION NO. 4572 OF 2025
IN FAST/16974/2021**

Mahadeo Babu Jarande

....Applicant

VERSUS

Ex. Engineer, Osmanabad Medium
Project Div. Under Mkkvdc, Pune And Ors.Respondents

.....

WITH

**CIVIL APPLICATION NO. 4573 OF 2025
IN FAST/16789/2021**

Babu Maruti Jarande (died)

Thr Lrs Mahadeo And Ors

.....Applicants

VERSUS

Ex. Engineer, Osmanabad Medium
Project Div. Under Mkkvdc, Pune And Ors.Respondents

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Mr. Shaikh Shoyab, Advocate for Applicant/s

Mr. Chetan T. Jadhav, Advocate for Respondent No.1 - Acquiring Body

Mr. R. B. Dhaware, AGP for the Respondent Nos.2 and 3 - State

.....

AND

**CIVIL APPLICATION NO. 6461 OF 2021
IN FAST/16789/2021**

Ex. Engineer, Osmanabad Medium

Project Div. Under Mkkvdc, Pune And Ors.

.....Applicants

VERSUS

Babu Maruti Jarande (died)

Thr Lrs Mahadeo And Ors.

.....Respondents

.....

WITH

**CIVIL APPLICATION NO. 6463 OF 2021
IN FAST/16963/2021**

Ex. Engineer, Osmanabad Medium

Project Div. Under Mkkvdc, Pune And Ors

.....Applicants

VERSUS

Datta Mahadeo Gavade And Ors.

.....Respondents

....

WITH
CIVIL APPLICATION NO. 6467 OF 2021
IN FAST/16974/2021

Ex. Engineer, Osmanabad Medium Project
 Div. Under Mkkvdc, Pune And Ors.

.....Applicants

VERSUS

Mahadeo Babu Jarande

.....Respondent

....

WITH
CIVIL APPLICATION NO. 6465 OF 2021
IN FAST/16984/2021

Ex. Engineer, Osmanabad Medium
 Project Div. Under Mkkvdc, Pune And Ors.

.....Applicants

VERSUS

Bansilal Babu Jarande

.....Respondent

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Mr. Chetan T. Jadhav, Advocate for Applicant No.1
 Mr. R. B. Dhaware, AGP for Applicant Nos.2 and 3
 Mr. Shaikh Shoyab, Advocate for Respondents - Claimants

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CORAM : NEERAJ P. DHOTE, J.

DATE : 02.05.2025

PER COURT :

[I] ORDER IN CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT :-

1. These are the Applications filed by the Original Claimant/s for withdrawal of the amount deposited by the Acquiring Body.

2. The First Appeals are preferred by the Acquiring Body against the Judgment and Award dated 24/01/2019, passed by the learned Civil Judge, Senior Division, Parande, in L.A.R Nos.339/2015 and 217/2014.

3. The learned Advocate for the Applicant/s submits that, the Acquiring Body has deposited 50% amount under the Award pursuant to the order dated 23/07/2021, passed by this Court, in Civil Application No.6468/2021. He submits that, the similarly placed Applicants / Claimants were allowed to withdraw the entire 50% amount deposited by the Acquiring Body in connected matters by order dated 24/10/2024, passed in Civil Application No.11577/2024 in First Appeal [ST] No.16963/2021 and in two others connected Appeals. He submits that, similar order be passed.

4. In the case at hand, the learned Advocate for the Acquiring Body and the learned AGP submit that, appropriate order be passed.

5. On hearing both the sides and considering that, the similarly placed Applicants - Claimants are permitted to withdraw 50% amount deposited by the Acquiring Body, the Applicant/s herein are permitted to withdraw 50% amount along with accrued interest thereon deposited by the Acquiring Body on furnishing an undertaking before the Registrar [Judicial] of this Court. Civil Applications stand disposed off accordingly.

[II] ORDER IN CIVIL APPLICATIONS FOR CONDONATION OF DELAY :-

1. These are the Applications filed by the Acquiring Body for condonation of 326 days delay caused in preferring the First Appeals against the Judgment and Award dated 24/01/2019, passed in respective L.A.Rs.

2. Heard the learned Advocate for the Applicants and the learned Advocate for the Respondent/s - Claimants.

3. For the reasons mentioned in the Applications, the Applications are allowed in terms of Prayer Clause - 'B'. Civil Applications stand disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/May-2025