



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

58 CIVIL APPLICATION NO. 1375 OF 2026
IN FAST/16757/2025

GANPATI RAMCHANDRA KADERE DIED THR. HIS L.RS. RAMCHANDRA
GANPATI KADERE

VERSUS

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING
WITH

CIVIL APPLICATION NO. 6144 OF 2025
IN FAST/16757/2025

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
DIVISION OMERGA

VERSUS

GANPATI RAMCHANDRA KADERE DIED THROUGH HIS LRS RAMCHANDRA
AND ORS

WITH

CIVIL APPLICATION NO. 6145 OF 2025
IN FAST/16757/2025

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
DIVISION OMERGA

VERSUS

GANPATI RAMCHANDRA KADERE DIED THROUGH HIS LRS RAMCHANDRA
AND ORS

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Mr. V. V. Ingale, Advocate for Claimants

Mr. S. N. Morampalle, AGP for Respondent/s-State

Mr. Rahul A. Tambe, Advocate for Respondent No.1/acquiring body

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CORAM : SHAILESH P. BRAHME, J.

DATE : 03.02.2026

PER COURT :-

CIVIL APPLICATION FOR WITHDRAWAL

. Applicant seeks withdrawal of amount of Rs.11,93,932/- deposited by the acquiring body relying on order passed by this Court in similarly circumstanced matter.

2. Application is contested by the respondents.

3. This Court has already taken consistent view in couple of matters, permitting the claimants to receive the amount. One such order dated 26.08.2025 is placed on record. Present case is squarely covered by the said order.

4. Civil Application is allowed partly permitting the applicant to receive 50% of the deposited amount with accrued interest on furnishing undertaking to the satisfaction of the learned Registrar (Judicial) and remaining 25% of the deposited amount with accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

CIVIL APPLICATION FOR DELAY

5. Applicant seeks to condone the delay of 740 days in preferring the First Appeal.

6. For the reasons stated in the application, civil application is allowed. The delay stands condoned.

CIVIL APPLICATION FOR STAY

7. As the amount of compensation is deposited by the acquiring body in pursuance of the order of this Court, ad-interim stay granted earlier shall stand confirmed.

8. Civil Application is disposed of.

FIRST APPEAL STAMP NO.

9. **Admit.** Learned AGP waives service of notice for the respondent/s-State. Mr. V. V. Ingale, learned counsel waives service of notice for the claimant.

10. Call for Record and Proceeding. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

PRW