



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 CIVIL APPLICATION NO. 1640 OF 2026
IN FAST/7879/2024
WITH
CIVIL APPLICATION NO. 1641 OF 2026
IN FAST/7879/2024

ANANT MOHANRAO SURYAWANSHI DIED THROUGH HIS LRS SHALUBAI
ANANT SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR OSMANABAD
WITH

CIVIL APPLICATION NO. 3016 OF 2024
IN FAST/7879/2024

WITH

CIVIL APPLICATION NO. 3017 OF 2024
IN FAST/7879/2024

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION. OSMANABAD

VERSUS

ANANT MOHANRAO SURYAWANSHI AND ORS

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Praveen Baliram Rakhunde, Advocate for Applicant

Mr. S. V. Hange, AGP for Respondent Nos.1 and 2/State

Mr. Mukul S. Kulkarni, Advocate for Respondent No.3/acquiring body

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CORAM : SHAILESH P. BRAHME, J.

DATE : 13.02.2026

PER COURT :-

CIVIL APPLICATION FOR LRS

. Applicant seeks to condone the delay of 1345 days in setting aside
abatement and in bringing legal heirs of deceased applicant No.1 – Anant
Mohanrao Suryawanshi on record.

2. The cause of action survives as against the legal heirs of deceased applicant No.1. They are necessary parties. There is no reason to infer any malafides on the part of the applicants for causing the delay.

3. Civil Application is allowed. The delay stands condoned and abatement is set aside. Leave is granted to bring the legal heirs of deceased applicant No.1 - Anant Mohanrao Suryawanshi on record.

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

CIVIL APPLICATION FOR WITHDRAWAL

5. Applicants seek withdrawal of amount of Rs.3,86,478/- deposited by the acquiring body. In a similarly situated matters, this Court permitted the claimants to receive the amount on furnishing undertaking.

6. Civil Application is allowed partly permitting the applicants to receive the deposited amount with accrued interest on furnishing undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

CIVIL APPLICATION FOR DELAY

7. Applicant – acquiring body seeks to condone the delay of 1715 days in preferring the first appeal. The learned counsel for the respondents opposes the application.

8. The contents of the application have not been controverted. There are no malafides on their part.

9. Civil Application is allowed. The delay stands condoned.
10. Office to register the first appeal.

FIRST APPEAL

11. **Admit.** Learned AGP waives service of notice for respondent Nos.2 and 3/State. Mr. P. B. Rakhunde, learned counsel waives service of notice for the respondents/claimants.
12. Call for Record and Proceeding. Print is dispensed with.

CIVIL APPLICATION FOR STAY

13. As the amount of compensation is deposited by the acquiring body in pursuance of order of this Court, ad-interim stay granted earlier shall stands confirmed.
14. Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)