

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6118 OF 2026  
IN FAST/18953/2025

Shri Mohan Mangu Rathod

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Nimbalkar Anirudha Arvind

AGP for Respondent/State : Mr. D.B. Bhange

Advocate for Respondent No.3 : Mr. B.R. Survase

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**CORAM : S. G. CHAPALGAONKAR, J.**

**DATED : JULY 10, 2026**

**PER COURT :-**

1. Heard learned advocates appearing for respective parties.
2. The applicant seeks permission to withdraw amount deposited by acquiring body as per award passed by Reference Court.
3. Mr. Survase, learned advocate appearing for acquiring body submits that Reference Court has granted exponential compensation towards trees. More than 354 lemon trees are shown in area of 54 R and, therefore, assessment is inappropriate.
4. Mr. Nimbalkar, learned advocate appearing for applicant although compensation amount payable as per award is more than 2 Crores, acquiring body has deposited only Rs. 1 Crore. In that view of matter, entire amount be permitted to be withdrawn.
5. Considering submissions advanced by learned advocates appearing for respective parties and reasoning adopted by Reference Court, this Court find it appropriate that at present, applicant can be

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permitted to withdraw Rs. 50,00,000/- (Rupees Fifty Lakh) on furnishing usual undertaking to satisfaction of Registrar (Judicial) and additional Rs. 25,00,000/- (Rupees Twenty Lakh) on furnishing solvent surety/security to satisfaction Registrar (Judicial) of this Court that, in case this Court directs, applicant shall redeposit the amount.

6. Civil Application stands disposed of in aforesaid terms.

**(S.G. CHAPALGAONKAR, J.)**

*Mujaheed//*