



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

981 CIVIL APPLICATION NO. 2181 OF 2026
IN FAST/24636/2025

WITH

CIVIL APPLICATION NO. 2185 OF 2026
IN FAST/24639/2025

WITH

CIVIL APPLICATION NO. 2186 OF 2026
IN FAST/24633/2025

WITH

CIVIL APPLICATION NO. 8769 OF 2025
IN FAST/24636/2025

WITH

CIVIL APPLICATION NO. 8770 OF 2025
IN FAST/24639/2025

WITH

CIVIL APPLICATION NO. 8768 OF 2025
IN FAST/24636/2025

WITH

CIVIL APPLICATION NO. 8790 OF 2025
IN FAST/24627/2025

WITH

CIVIL APPLICATION NO. 2184 OF 2026
IN FAST/24605/2025

WITH

CIVIL APPLICATION NO. 2187 OF 2026
IN FAST/24617/2025

WITH

CIVIL APPLICATION NO. 8778 OF 2025
IN FAST/24605/2025

WITH

CIVIL APPLICATION NO. 8783 OF 2025
IN FAST/24614/2025

WITH

CIVIL APPLICATION NO. 8784 OF 2025
IN FAST/24614/2025

WITH

CIVIL APPLICATION NO. 8813 OF 2025
IN FAST/24633/2025

WITH

CIVIL APPLICATION NO. 2182 OF 2026
IN FAST/24614/2025

WITH

CIVIL APPLICATION NO. 2183 OF 2026

IN FAST/24627/2025
WITH
CIVIL APPLICATION NO. 8771 OF 2025
IN FAST/24639/2025
WITH
CIVIL APPLICATION NO. 8777 OF 2025
IN FAST/24605/2025
WITH
CIVIL APPLICATION NO. 8786 OF 2025
IN FAST/24617/2025
WITH
CIVIL APPLICATION NO. 8785 OF 2025
IN FAST/24617/2025
WITH
CIVIL APPLICATION NO. 8789 OF 2025
IN FAST/24627/2025
WITH
CIVIL APPLICATION NO. 8812 OF 2025
IN FAST/24633/2025

MAHALING DHARMARAJ RAJMANE

VERSUS

THE EXECUTIVE ENGINEER (CIVIL), CIVIL CONSTRUCTION PROJECT,
MSPGCL

...

Advocate for Applicant/Claimant : Mr. T G Gaikwad
Advocate for Applicants/Claimants in CA 2182/2026 and 2184/2026 with
connected matters : Mr. Parikshit S. Mantri h/f Mr. Parag V. Barde
Advocate for Respondent No. 1/Applicant : Mr. Akash D. Gade
A.G.P for Respondent no. 2 : Mr. S. P. Joshi

...

CORAM : S. G. CHAPALGAONKAR, J.
DATE : 02.07.2026

PER COURT :

APPLICATIONS FOR CONDONATION OF DELAY :

1. Heard learned counsel Mr. Gade for the applicant.
2. Perused the application and reasons stated therein. Apparently, the delay is occasioned on account of administrative reasons, which are duly explained in the application. In the result, case is made out to condone the delay.

3. The Civil Applications are allowed. Delay is condoned.
4. Appeals be registered subject to removal of the office objections.

CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT

5. The applicants seek permission to withdraw the amount deposited by the respondent-Acquiring Body in pursuance of the Award passed by the Reference Court.
6. Learned counsel Mr. Gaikwad appearing for the applicant submits that the applicants have lost their lands in the year 2008 due to compulsory acquisition and till date they have not received the enhanced compensation, as determined by the Reference Court.
7. Learned counsel Mr. Gade, appearing for the Acquiring Body vehemently opposes the applications contending that the interest on compensation amount is granted from the date of possession and not from the date of Award. Further, he submits that the assessment of compensation on the basis of the sale-deeds, which cannot be termed as comparative sale instances, is excessive and exorbitant.
8. Having considered the reasons adopted by the Reference Court, this Court find that the Reference Court, relying upon sale instances from same village made the assessment of compensation. In that view of the matter, the applicants are entitled to withdraw the compensation amount. Hence, following order is passed :

ORDER

(I) The applications are partly allowed. The applicants are permitted to withdraw 50% of compensation amount as deposited by the Acquiring Body subject to furnishing of usual undertaking to the satisfaction of the

Registrar (Judicial) of this Court that they shall redeposit the amount in case this Court directs them to do so.

(ii) The applicants are further permitted to withdraw 25% of the amount of compensation deposited, on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

(iii) The Civil Applications are disposed of.

CIVIL APPLICATIONS FOR STAY :

9. Learned counsel Mr. Gade for the Appellant informed that entire amount as per award passed by the Reference Court is deposited with the Registry.

10. The aforesaid statement is disputed by the learned counsel appearing on behalf of the respondents, contending that the amount deposited would not constitute entire amount of compensation. However, there is no impediment in considering the present applications. In the result, the applications are allowed in terms of prayer clause 'B' with liberty in favour of the claimants to pursue their remedy for deposit of the amount, if any due as per the Award.

11. The Civil Applications are disposed of.

FIRST APPEALS :

12. **Admit.**

13. Print and paper book is dispensed with.

(S. G. CHAPALGAONKAR, J.)

mkd/-