



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13276 OF 2023 IN FA/3496/2022

Mainabai Gopal Sing Rajput And Others Another
VERSUS
Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....
Mr. Chetan T. Jadhav, Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

AND

CIVIL APPLICATION NO.4748 OF 2024 IN FA/3494/2022

Surajsing Bhagwansing Rajput And Others
VERSUS
Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....
Mr. Chetan T. Jadhav, Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

AND

CIVIL APPLICATION NO.13285 OF 2023 IN FA/3497/2022

Pandharinath Dada Bangal And Another
VERSUS
Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....
Mr. Chetan T. Jadhav, Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

2

AND

CIVIL APPLICATION NO.13288 OF 2023 IN FA/3510/2022

Nana Dada Bangal and Another
VERSUS
Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....
Mr. Chetan T. Jadhav, Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

AND

CIVIL APPLICATION NO.12114 OF 2023 IN FA/1428/2021

Eknath Dhondu Waghchaure (Died) Through L.Rs.
Umakant Eknath Waghchaure And Another
VERSUS
Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....
Mr. Abhishek M. Hajare Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

AND

CIVIL APPLICATION NO.12071 OF 2023 IN FA/48/2021

Eknath Dhondu Waghchaure (Died) Through L.Rs.
Umakant Eknath Waghchaure And Another
VERSUS
Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....
Mr. Abhishek M. Hajare Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

3

AND

CIVIL APPLICATION NO.13758 OF 2023 IN FA/974/2021

Nanasaheb Bhaurao Matsagar (Died) Through L.Rs.
Vithabai Nanasaheb Matsagar And Others

VERSUS

Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....

Mr. Abhishek M. Hajare Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

AND

CIVIL APPLICATION NO.12112 OF 2023 IN FA/1355/2021

Surajsingh Bhagwansing Rajput And Others

VERSUS

Office In Charge Office Of Maharashtra Industrial Development
Corporation And Others

.....

Mr. Abhishek M. Hajare Advocate for Applicants
Mr. S.S. Dande, Advocate for Respondent Nos.1 and 2
Mr. V.S. Badakh, AGP for Respondent – State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th JUNE, 2024

ORDER :

1. Learned advocates for applicants/claimants submit that they may be permitted to withdraw 50% of the amount together with accrued interest, deposited by the acquiring body/respondent no.1.

2. Learned advocate for the first respondent submits that though the lands were acquired long back, for the present, claimants are obstructing for demarcation of acquired lands and taking their measurement. He further submits that claimants have already withdrawn the amount awarded by the Special Land Acquisition Officer.

Learned advocates representing applicants/claimants have assured the Court that claimants will co-operate in measurement and demarcation of the acquired land.

3. Copy of order passed by this Court in connected matter, arising out of the same land acquisition, in Civil Application No.4498 of 2024 in First Appeal No.983 of 2021 dated 12.06.2024 is placed on record. By this order, claimants are permitted to withdraw 50% amount of compensation deposited by the Corporation in this Court, along with interest accrued thereon. There is no reason to take a different view in the present matters as all these matters are connected and arise out of same acquisition. Hence, the following order:-

ORDER

(i) Civil Applications are allowed.

- (ii) Applicants/claimants are permitted to withdraw 50% of the deposited amount along with accrued interest thereon, if any, on condition that they shall co-operate in measurement and demarcation of their acquired lands.
- (iii) 25% of deposited amount shall be withdrawn on furnishing usual undertaking.
- (iv) Another 25% of the deposited amount shall be withdrawn on furnishing solvent security to the satisfaction of the Registrar (Judicial) of this Court.
- (iv) Remaining 50% amount shall be deposited in any nationalized bank in the fixed deposit on yearly renewal basis, till disposal of appeals.

[NITIN B. SURYAWANSHI]
JUDGE