



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**936 CIVIL APPLICATION NO. 9340 OF 2025
IN FA/2747/2024**

Motiram Dagdu Gawande Died Thr Lrs Gajanan And Ors

VERSUS

The State Of Maharashtra Through The Collector And Ors

WITH

**CIVIL APPLICATION NO. 1608 OF 2024
IN FA/2747/2024**

The State Of Maharashtra Through The Collector Jalna And
Ors

VERSUS

Motiram Dagadu Gawande Died Through Legal Heirs Gajanan
Gawande And Ors

AND

**937 CIVIL APPLICATION NO. 9341 OF 2025
IN FA/2014/2024**

Kautikrao Shitaram Gawande And Ors

VERSUS

The State Of Maharashtra And Ors

AND

WITH

**CIVIL APPLICATION NO. 1665 OF 2024
IN FA/2014/2024**

The State Of Maharashtra Through The Collector Jalna And
Ors

VERSUS

Kautikrao Shitaram Gawande And Ors

AND

**938 CIVIL APPLICATION NO. 9346 OF 2025
IN FA/1863/2024**

Kundlik Dashrath Barkale And Anr

VERSUS

The State Of Maharashtra Through The Collector And Ors

WITH
CIVIL APPLICATION NO. 1622 OF 2024
IN FA/1863/2024

The State Of Maharashtra Through The Collector Jalna And
Ors

VERSUS

Kundlik Dashrath Barkale And Ors

AND

939 CIVIL APPLICATION NO. 9347 OF 2025
IN FA/1905/2024

Totaram Dagdu Gawande Through Lrs And Ors

VERSUS

The State Of Maharashtra Through The Collector And Ors

WITH

CIVIL APPLICATION NO. 1624 OF 2024
IN FA/1905/2024

The State Of Maharashtra Through The Collector Jalna And
Ors

VERSUS

Totaram Dagadu Gawande Died Through Legal Heirs
Prabhakar Gawande And Ors

AND

940 CIVIL APPLICATION NO. 9348 OF 2025
IN FA/1844/2024

Shriram Rangnath Girnare And Anr

VERSUS

The State Of Maharashtra Through The Collector And Ors

AND

WITH

CIVIL APPLICATION NO. 1663 OF 2024
IN FA/1844/2024

The State Of Maharashtra Through The Collector Jalna And
Ors

VERSUS

Shriram Rangnath Girnare And Ors

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CORAM : AJIT B. KADETHANKAR.

DATED : 16TH SEPTEMBER, 2025

ORDER :-

**CIVIL APPLICATION NO. 9340 OF 2025 (WITHDRAWAL)
CIVIL APPLICATION NO. 9341 OF 2025 (WITHDRAWAL)
CIVIL APPLICATION NO. 9346 OF 2025 (WITHDRAWAL)
CIVIL APPLICATION NO. 9347 OF 2025 (WITHDRAWAL)
CIVIL APPLICATION NO. 9348 OF 2025 (WITHDRAWAL)**

. All the First Appeals are filed by the Acquiring Body, challenging enhancement granted by the learned Reference Court in the respective Land Acquisition References as mentioned below:

C.A. No.	First Appeal No.	L.A.R. No.	Authority
9340 of 2025	2747 of 2024	40 of 2018	Learned Civil Judge, Senior Division, Jalna
9341 of 2025	2017 of 2024	39 of 2018	
9346 of 2025	1863 of 2024	150 of 2018	
9347 of 2025	1905 of 2024	220 of 2017	
9348 of 2025	1844 of 2024	149 of 2018	

2. Pursuant to the interim relief granted in favour of the Acquiring Body in their Civil Applications, the Acquiring Body has deposited the entire amount in this Court. As such, there is compliance of the first order passed by this Court. Pursuant to the deposits made by the Acquiring Body, present Civil Applications are moved by the claimants for withdrawal of the

deposited amount.

3. Mr. D. M. Pingale, learned Advocate for claimants submits that the entire source of livelihood of the claimants have been acquired by the Acquiring Body. Although, they have meager entitlement for compensation, their entitlement has been rightly adjudicated by the learned Reference Court. The Acquiring Body has unnecessarily challenged those in the appeals whereby, they are deprived of their legitimate right to get the compensation to which they deserve. With this, he seeks withdrawal of the entire amount granted by the learned Reference Court.

4. Per contra, Mr. S. S. Dande, learned AGP, appearing for the Acquiring Body vehemently opposes the Civil Applications atleast to the extent of 50 percent of the deposited amount. Mr. S. S. Dande would further submit that the enhancement granted by the learned Reference Court is 20 times more than the enhancement granted by the Competent Authority. He submits that the acquiring Body has good hopes of success in the First Appeals. He would further submits that interest of the claimants is well protected since the amount is deposited in this Court. Mr. Dande further demonstrates his

apprehension that if the entire amount is allowed to be withdrawn to the claimants, the public fund would be at danger if in the event his First Appeals stand allowed, as there is possibility that the Acquiring Body would be in difficulty to recover the amount exorbitantly granted by the learned Reference Court.

5. In view of the above consideration, I pass following order:

ORDER

- a. Civil Applications stand partly allowed.
- b. The applicants are permitted to withdraw 50 percent of the deposited amount on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Balance amount, if any, be deposited in the fixed deposit in any nationalized bank.

**FIRST APPEAL No.2747 OF 2024
FIRST APPEAL No.2014 OF 2024
FIRST APPEAL No.1863 OF 2024
FIRST APPEAL No.1905 OF 2024
FIRST APPEAL No.1844 OF 2024**

. Heard.

2. Admit.

3. Mr. D. M. Pingle, learned Advocate waives service of

notice for claimants/respondents.

4. Appellants to remove all the office objections, if any, within two weeks from today.

5. Print and paper book dispensed with.

CIVIL APPLICATION NO. 1608 OF 2024 (STAY)
CIVIL APPLICATION NO. 1665 OF 2024 (STAY)
CIVIL APPLICATION NO. 1622 OF 2024 (STAY)
CIVIL APPLICATION NO. 1624 OF 2024 (STAY)
CIVIL APPLICATION NO. 1663 OF 2024 (STAY)

. In view of order passed in Civil Application No. 9340 Of 2025, Civil Application No. 9341 Of 2025, Civil Application No. 9346 Of 2025, Civil Application No. 9347 Of 2025 And Civil Application No. 9348 Of 2025, Civil Applications for stay stand allowed.

2. Stay granted earlier is made absolute in terms of prayer clause 'B'.

3. Civil Applications stand disposed of.

(AJIT B. KADETHANKAR, J.)