



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

41 CIVIL APPLICATION NO. 12816 OF 2025
IN FAST/6684/2025

SHESHERAO DAMU RATHOD

VERSUS

**THE UNION OF INDIA THROUGH THE GENERAL MANAGER, CENTRAL
RAILWAY, CHHATRAPATI SHIVAJI TERMINUS**

...

Mr. Shashikant Eknath Shekade, Advocate for Applicant

Mr. S. V. Hange, AGP for Respondents-State

WITH

CIVIL APPLICATION NO. 3522 OF 2025
IN FAST/6684/2025

**UNION OF INDIA THROUGH THE GENERAL MANAGER CENTRAL RAILWAY
MUMBAI AND ORS**

VERSUS

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CORAM : SHAILESH P. BRAHME, J.

DATE : 27.11.2025

PER COURT :-

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. Applicant is seeking withdrawal of the amount deposited by the respondent-acquiring body. This matter pertains to acquisition of the land for the construction of the railway track from Nagar-Beed-Parali. In the similarly situated matters, this Court already permitted the claimants to receive the amount deposited with accrued interest on furnishing undertaking. Few such orders are placed on record. I propose to follow the same course.

2. Civil Application is allowed permitting the applicant to receive the amount deposited with accrued interest on furnishing undertaking to the satisfaction of the learned Registrar (Judicial).

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. The acquiring body seeks to condone the delay of 280 days in preferring the appeal for the reasons stated in the application.

2. I do not see any malafides on the part of the acquiring body in preferring the appeal belatedly. Many such appeals were filed by the acquiring body and the delay was condoned. I propose to adopt the same course.

3. Civil Application is allowed. The delay stands condoned.

FIRST APPEAL

- . **Admit.**
2. Mr. S. E. Shekade, learned counsel waives service of notice for the respondent.
3. Call Record and Proceeding. Print is dispensed with.
4. An endeavor shall be made to decide the present appeal finally.

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- . As the entire amount is deposited by the acquiring body, stay granted earlier shall stand confirmed.
2. Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)