



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

38 CIVIL APPLICATION NO. 12781 OF 2025
IN FAST/6687/2025

NAGURAO NAGORAO RAOSAHEB RATHOD AND ANOTHER
VERSUS
THE UNION OF INDIA THROUGH THE GENERAL MANAGER CENTRAL
RAILWAY CHHATRAPATI SHIVAJI TERMINUS ADMINI

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Mr. S. E. Shekade, Advocate for Applicant
Mrs. M. N. Ghanekar, AGP for Respondents-State

WITH
CIVIL APPLICATION NO. 3521 OF 2025
IN FAST/6687/2025

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

VERSUS
NAGURAO RAOSAHEB RATHOD AND ANR

WITH
CIVIL APPLICATION NO. 3520 OF 2025
IN FAST/6687/2025

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

VERSUS
NAGURAO RAOSAHEB RATHOD AND ANR

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CORAM : SHAILESH P. BRAHME, J.
DATE : 27.11.2025

PER COURT :-

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. Applicants are 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 applicants 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 336 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 respondent nos.1 and 2.
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.)