



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

**CIVIL APPLICATION NO. 11055 OF 2025
IN FA/1285/2024**

Agatrao Bhairu Kade @ Chavan (Died)
Through L.Rs. Draupadi Agatrao Chavan
and others

.. Applicants

Versus

The State Of Maharashtra
Through The Collector, Osmanabad and others

.. Respondents

Mr. Laxmikant C. Patil, Advocate for the Applicants.
Smt. Chaitali Choudhari-Kutti, AGP for Respondent Nos. 1 and 2.
Mr. S. S. Dande, Advocate for Respondent No. 3.

**WITH
CIVIL APPLICATION NO. 10457 OF 2025
IN FA/1285/2024**

Agatrao Bhairu Kade @ Chavan and others

.. Applicants

Versus

The State Of Maharashtra
Through The Collector, Osmanabad and others

.. Respondents

Mr. Laxmikant C. Patil, Advocate for the Applicants.
Smt. Chaitali Choudhari-Kutti, AGP for Respondent Nos. 1 and 2.
Mr. S. S. Dande, Advocate for Respondent No. 3.

**WITH
CIVIL APPLICATION NO. 4099 OF 2024
IN FA/1285/2024**

The Ex. Engineer, Irrigation Project Strengthening

Division, Omerga Now Osmanabad M.P. Osmanabad
and others

.. Applicants

Versus

Agatrao Bhairu Kade @ Chavan

.. Respondent

Mr. S. S. Dande, Advocate for the Applicants.

Mr. Laxmikant C. Patil, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 06th OCTOBER, 2025.

PER COURT :-

CIVIL APPLICATION NO. 11055 OF 2025 :

1. Heard.
2. This application is for bringing on record legal heirs of Agatrao s/o Bhairu Kade @ Chavan – original claimant in appeal by the acquiring body/respondent No. 3 in this application. The deceased died on 16.11.2015. The present applicants are the only legal heirs of the deceased claimant. There is delay of 3511 days caused in filing this application.
3. For the reasons stated in the application, delay stands condoned. The application is allowed. Necessary amendment be carried out in the cause title of the appeal and in other

applications within a period of two weeks from today.

4. With this, the civil application stands disposed of.

CIVIL APPLICATION NO. 10457 OF 2025 :

1. This application is for withdrawal of the amount deposited in this Court towards enhanced compensation. The learned advocate for the applicants has produced on record copy of order dated 17.04.2025 passed by this Court in Civil Application No. 4058/2025 with other connected matters.

2. Considering the above, following order :

ORDER

(I) The applicants are permitted to withdraw 75% of the amount along with accrued interest deposited in the office of this Court on furnishing usual undertaking to the satisfaction of learned Registrar (Judicial) of this Court. The said undertaking be kept in the first appeal record. Remaining amount of 25% be invested in a fixed deposit in any Nationalized Bank till disposal of the appeal.

(II) With this, the civil application stands disposed of.

CIVIL APPLICATION NO. 4099 OF 2024 :

1. Since the amount of compensation as per the impugned judgment and award is already deposited in the office of this Court, there shall be stay to the impugned judgment and award till disposal of the appeal.
2. The civil application stands disposed of.

(KISHORE C. SANT, J.)

PS.B.