



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

**923 CIVIL APPLICATION NO. 3505 OF 2025
IN FAST/14034/2023**

SHIVAJI B MARKAD DIED LRS KISANBAI MARKAD DIED LRS SHAHAJI
MARKAD DIED LRS 1 2 1GAJARABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR DHARASHIV
AND ORS

**WITH
CIVIL APPLICATION NO. 5755 OF 2023
IN FAST/14034/2023**

THE EXECUTIVE ENGINEER OSMANABAD AND ORS
VERSUS
SHIVAJI BHANUDAS MARKAD

**WITH
CIVIL APPLICATION NO. 5756 OF 2023
IN FAST/14034/2023**

Ms. Ashwini Mehetre h/f. Mr. A.B. Kale, Advocate for the claimants.
Mr. R.B. Dhaware, AGP for the respondent-State.
Mr. S.W. Munde, Advocate for the Acquiring Body.

**CORAM : KISHORE C. SANT, J.
DATE : 08.10.2025**

PC :-

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

01. Learned Advocate for the applicant has produced on record common order dated 09.04.2025 passed in Civil Application No. 11923 of 2024 in First Appeal No. 2968 of 2024 with connected applications. This Court has permitted the applicants therein to withdraw 75% of the deposited amount by the Acquiring Body. Hence, following order :-

- i) This Civil Application is allowed.

ii) The applicants are permitted to withdraw 75% of the amount deposited in this Court along with accrued interest on giving usual undertaking. Remaining amount shall be deposited in fixed deposit of any nationalized bank to be renewed from time to time till disposal of the appeal.

CIVIL APPLICATION FOR CONDONATION OF DELAY

01. Heard. For the reasons stated in the application, the delay caused in filing appeal, stands condoned. This Civil Application is allowed and disposed off.

CIVIL APPLICATION FOR STAY

01. The Acquiring Body has already deposited entire amount of compensation along with interest in the office of this Court. In view of the same, there shall be stay to the impugned judgment and award till final disposal of the appeal.

02. The Civil Application for stay accordingly stands allowed and is disposed of.

[KISHORE C. SANT, J.]