



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

925 CIVIL APPLICATION NO. 3355 OF 2025 IN FAST/8274/2022

Tukaram Dhondiram Kawade (died) Thr Lrs. Shrimant Tukaram Kawade
And Others

VERSUS

The State Of Maharashtra Through Collector, Osmanabad

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Mr. Laxmikant C. Patil - Advocate for Applicants

Mr. D. J. Patil - AGP for Respondent Nos.1 and 2/State

Mr. Ranjit B. Gaikwad - Advocate for Respondent No. 3

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CORAM : NEERAJ P. DHOTE, J.

DATED : 25TH MARCH 2025

PER COURT : -

1. This is an Application by the Applicants-Claimants/ Respondents in the Appeal for withdrawal of the entire amount deposited by the Appellant/Acquiring Body in the office of this Court along with the interest accrued thereon.

2. Heard learned Advocate for the Applicants-Claimants and the learned Advocate for the Acquiring Body.

3. The Appeal is preferred by the Acquiring Body against the Judgment and Order dated 24.06.2019 passed by learned Reference Court in L.A.R. No. 874 of 2014. There is no dispute that the Acquiring Body has deposited the entire amount computed and awarded by the learned Reference Court. It is brought to my notice that this Court in connected

Appeals arising out of the same acquisition proceedings has allowed the Applications therein to withdraw the entire amount along with the interest accrued thereon, by order dated 03.02.2025 passed in Civil Application No. 1159 of 2024 in First Appeal No. 3442 of 2022 with connected applications.

4. There is no dispute that the applicants in the present application are similarly situated with the applicants in the aforementioned application. Hence, I see no legal impediment to allow the application on the same terms as were imposed vide order dated 03.02.2025.

5. The Applicants are permitted to withdraw the entire amount deposited by the Acquiring Body along with the interest accrued thereon. Out of the same, 75% amount is permitted to be withdrawn on furnishing usual undertaking and remaining 25% amount is permitted to be withdrawn on submitting solvent security/surety to the satisfaction of the Registrar (Judicial) of this Court.

6. Application is disposed of.

[NEERAJ P. DHOTE]
JUDGE