



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3846 OF 2025
IN FA/906/2025

Jeevan Mohanrao Suryawanshi

....Applicant

VERSUS

The State Of Maharashtra Through Collector Osmanabad And Ors

.....Respondent

.....
Advocate for Applicant : Mr. Praveen Baliram Rakhunde
Adv. S.S.dande For R/3

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 8th MAY, 2025.

P.C. :-

1. Heard learned advocates for respective parties.
2. Mr. Rakhunde, learned advocate appearing for the applicant invites attention of this Court to the order dated 6.3.2025 passed in Civil Application No. 2702 of 2025 in FA Stamp No. 29140 of 2023 alongwith companion matters. He submits that present matter also pertains to the same acquisition, same notification and same village. This court had condoned the delay in all those companion matters, which are arising out of same acquisition.
3. Mr. Dande, learned advocate for respondent opposes the application, however, submits that if the order under reference pertains to same acquisition as stated by learned advocate for applicant, same order may be passed.
4. In that view of the matter, considering the reasons as stated in the order dated 06.03.2025, coupled with reasons stated in the application, application deserves to be allowed. Hence, accepting the

statement of Mr. Rakhunde, the following order :-

ORDER

- [I] Civil Application is allowed;
- [ii] The applicant is permitted to withdraw 50% of the compensation amount deposited by the respondent Acquiring Body on furnishing an undertaking to the satisfaction of Registrar (Judicial) of this court that in case any adverse order is passed in appeal, he shall re-deposit the amount.
- [iii] Undertaking to be filed within a period of six weeks and shall be made part of the appeal.
- [iv] Balance 50% amount is permitted to be withdrawn subject to furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court.
- [iv] Civil application is disposed of.
- [v] Appeal be registered. On registration of appeal, ADMIT.
- [vi] Print and paper book dispensed with.
- [vii] To be heard alongwith First appeal Stamp No. 29140 of 2023.

ON CIVIL APPLICATION FOR STAY : CA NO. 7615 OF 2023

Mr. Dande, learned advocate for applicant submits that the entire amount as per the award passed by Reference Cour has been deposited with the Registry of this Court. Statement is supported by office endorsement. Hence, application stands allowed and disposed of in terms of prayer clause (A).

[S.G. CHAPALGAONKAR, J.]

grt/-