



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

957 CIVIL APPLICATION NO. 4067 OF 2025

IN FA/754/2025

SAMBHAJI NAVNATH PATIL

VERSUS

**THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
OSMANABAD AND ORS**

WITH

CIVIL APPLICATION NO. 412 OF 2021

IN FA/754/2025

**THE EX. ENGINEER, IRRIGATION PROJECT STRENGTHENING
DIV. OMERGA AND ORS**

VERSUS

SAMBHAJI NAVNATH PATIL

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Mr. L. C. Patil, Advocate for applicant and for respondent in CA
No.412/2021

Mr. D. B. Bhange, AGP for Respondents-State

Mr. S. G. Bhalerao, Advocate for Respondent No.3

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 02.05.2025

PER COURT :-

1. Heard the learned counsels for the parties.
2. Mr. L. C. Patil relies on order dated 05.04.2024 passed in Civil Application No.3298 of 2024 in First Appeal No.842 of 2024 arising out of same acquisition and submits that same course may be followed. Mr. Bhalerao accepts that order relied by Mr. Patil pertains to same acquisition.

3. Since in the similarly situated matters, the Court allowed the applicants to withdraw 75% of the amount deposited. Hence, the order:

::ORDER::

- i) The application is partly allowed.
- ii) The applicants are permitted to withdraw 75% of the amount deposited with this Court. Out of it, 50% amount be released on furnishing undertaking that they would re-deposit the amount if the impugned judgment and award is reversed, and 25% amount be released on furnishing surety/security.
- iii) The balance amount be invested in fixed deposit in any Nationalized Bank, as per rules.

APPLICATION FOR STAY

. Mr. Bhalerao, learned Advocate appearing for applicants submits that the entire amount as per the award passed under appeal has been deposited with the Registry of this Court.

2. His statement is supported by office endorsement.

3. In that view of the matter, application is allowed in terms of prayer clause (B) and disposed of.

[S. G. CHAPALGAONKAR, J.]