



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 3706 OF 2025
IN FAST/24160/2020

Vilas Sadashiv Kandalkar

....Applicant

VERSUS

The State Of Maharashtra

Thr. Collector Osmanabad And Ors.

.....Respondents

.....

AND

CIVIL APPLICATION NO. 3708 OF 2025
IN FAST/24166/2020

Suleman Mahaboob Fakir And Anr

.....Applicants

VERSUS

The State Of Maharashtra,

Through Collector, Osmanabad And Ors

.....Respondents

.....

AND

CIVIL APPLICATION NO. 3709 OF 2025
IN FAST/23640/2020

Bhanudas Sakharam Kandalkar (died)

Thr. Lrs Kishor Bhanudas Khandalkar And Ors

.....Applicants

VERSUS

The State Of Maharashtra

Through District Collector, Osmanabad And Ors

.....Respondents

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Ms. Laxmi R. Thakur h/f Mr. Patil Laxmikant C., Advocate for
Applicants / Claimants in all Applications

Mr. R. B. Dhaware, AGP for Respondent Nos.1 and 2 in all
Applications

Mr. Rahul A. Tambe, Advocate for Respondent No.3 in all
Applications

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CORAM : NEERAJ P. DHOTE, J.

DATE : 04.04.2025

PER COURT :

1. These are the Applications filed by the Original Claimants / Respondents in the Appeals for withdrawal of the amount deposited by the Acquiring Body in this Court along with interest accrued thereon. The Appeals are filed by Acquiring Body in respect of lands acquired for Kumbhari Storage Tank in File No. 2002/LQ/CR-13.
2. It is submitted by the learned Advocate for the Applicants that, this Court, in similar matters, has permitted the Applicants therein to withdraw the entire amount, out of which, 75% on furnishing usual undertaking and remaining amount is directed to be deposited in the Nationalized Bank. She tenders across the bar a copy of the order dated 24/10/2024 passed in Civil Application No.8226/2024.
3. The aforesaid aspect is not disputed by the learned Advocate for the Respondents - Acquiring Body.
4. In view of the above, the Applications are allowed in terms of the said order dated 24/10/2024, passed in Civil Application No.8226/2024. Applications are disposed off accordingly.
5. The learned Advocate for the Acquiring Body submits that, the Acquiring Body has deposited the entire amount under the Award in this Court. Since the said aspect is not disputed, the interim order i.e. stay to the effect and operation of the impugned Award, shall continue during the pendency of the Appeals. Since delay has been condoned in the Appeals, which is not in dispute, the office shall register the same.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025