



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

23 CIVIL APPLICATION NO. 4548 OF 2025
IN FA/688/2021

SANJAY BHILA PATIL

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE
COLLECTOR, JALGAON AND ORS

WITH

CIVIL APPLICATION NO. 4547 OF 2025
IN FA/1510/2021

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Advocate for Applicants : Mr. Patil Vijay Bhalerao.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.3 : Mr. Ajay D. Pawar.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 04.12.2025

PER COURT :-

1. Heard the learned counsels for respective parties.
2. Applicants are seeking vacation of the interim relief and/or direction to deposit balance amount of compensation with accrued interest in this Court. Applicants are relying on order passed by the Division Bench on 10.12.2020 directing the acquiring body to deposit entire amount of compensation with accrued interest. It is further pointed out that in similarly situated matters, the acquiring body settled the issue and have

withdrawn appeals. Those orders are also placed on record along with applications.

3. In that view of the matter, it is submitted that the order dated 17.08.2021 granting stay on condition of depositing only 50% of the amount with accrued interest needs modification.

4. Applications are contested by the acquiring body. Learned counsel Mr. Pawar submits that the applicants are not responding to the acquiring body for settlement even an order to that effect was passed on 01.07.2025. It is submitted that matter needs to be heard finally. The applicants have also preferred appeals for enhancement. All the appeals need to be heard finally. The compensation granted towards the trees is vulnerable because the existence of the trees is disputed.

5. I have considered rival submissions of the parties. In pursuance of the order dated 17.08.2021 acquiring body deposited the amount which was withdrawn by the applicants. By referring to the orders passed by the Division Bench, they are soliciting to deposit balance 50% of the amount. The acquiring body has challenged the valuation towards trees on various grounds. The claimants have also preferred appeals for enhancement of the compensation. Probably that is the reason

why it is not possible to settle the matters. The ends of the justice would be met in directing the respondent/acquiring body to deposit further 25% with accrued interest in this Court within a period of eight (8) weeks from today.

6. Civil applications are disposed of directing the respondent/acquiring body to deposit 25% with accrued interest within a period of ten (10) weeks from today.

7. Ad-interim relief granted earlier shall be continued till that period only.

(SHAILESH P. BRAHME, J.)

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vmk/-