



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

**CIVIL APPLICATION NO. 8014 OF 2025
IN FA/1993/2025**

Ashok Ananda Ghodake

VERSUS

The State Of Maharashtra, Through The Collector,
Osmanabad And Ors

...

Mr. L. C. Patil, Advocate for Applicant

Mr. S. S. Dande, AGP for Respondents-State

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

...

WITH

**CIVIL APPLICATION NO. 339 OF 2021
IN FA/1993/2025**

.....

CORAM : AJIT B. KADETHANKAR.

DATED : 11TH SEPTEMBER, 2025

ORDER :-

CIVIL APPLICATION NO. 8014 OF 2025 (WITHDRAWAL)

. This is an application for withdrawal of the amount deposited by the Acquiring Body in this Court while seeking the stay to the execution and operation of the impugned judgment and award dated 30.12.2025, passed by the Joint Civil Judge, Senior Division at Osmanabad in L.A.R. No.344 of 2012, in the First Appeal.

2. Mr. L. C. Patil cites an order dated 05.04.2024 passed

by this Court in Civil Application No.3298 of 2024 in First Appeal No.842 of 2024. Order is taken on record and marked as 'X' for identification. Referring to and relying on the said order, he further submits that the First Appeal No.842 of 2024 is filed out of the same land acquisition proceeding and award, which is subject matter of the present First Appeal. He submits that the applicants/owners of the lands have lost their source of livelihood. Mr. Patil further submits that the applicants be permitted to withdraw 75 percent of the amount deposited by the appellant in this Court on parity, as is allowed by this Court in the cited matter.

3. Mr. S. G. Bhalerao, representing the Acquiring Body/appellant fairly accepts the factual position and has no objection for withdrawal of 75 percent amount deposited in this Court.

4. In view of above consideration, I have no hesitation to pass following order.

ORDER

- a. The application is partly allowed.
- b. The applicant is permitted to withdraw 75 percent of the amount deposited with this Court.

Out of it, 50 percent amount be released on furnishing undertaking that they would deposit the amount if the impugned judgment and award is reversed, and 25 percent amount be released on furnishing on solvent surety/security.

c. The balance amount be invested in fixed deposit in any nationalized bank, as per rules.

CIVIL APPLICATION NO. 339 OF 2021 (STAY)

. It is submitted by the applicants that the entire payable award amount is deposited by the Acquiring Body in this Court.

2. In view of that, the Stay granted earlier is made absolute. The impugned judgment and award in the First Appeal is stayed till final disposal of the First Appeal.

FIRST APPEAL ST. NO.1993 OF 2025

. Heard.

2. Admit.

3. Call Record and Proceeding.

4. Issue notice to the respondents, returnable on 06.10.2025.

(AJIT B. KADETHANKAR, J.)