



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 3461 OF 2025
IN FA/1101/2021

Vijay Uddhavrao Shinde And Ors.Applicants

VERSUS

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

.....

AND

CIVIL APPLICATION NO. 3462 OF 2025
IN FA/1103/2021

Jayadev @ Jagadev Mahadeo Shinde And Anr.Applicants

VERSUS

The State Of Maharashtra,
Thr The Collector, Osmanabad And OrsRespondents

.....

AND

CIVIL APPLICATION NO. 3463 OF 2025
IN FA/1102/2021

Rakamabai Gopal Kadam (died)
Thr. Lrs Narmada Dattatraya KolheApplicant

VERSUS

The State Of Maharashtra
The Collector, Osmanabad And Ors.Respondents

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AND

CIVIL APPLICATION NO. 3464 OF 2025
IN FA/1104/2021

Kesharbai Vijay ShindeApplicant

VERSUS

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

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Mr. Patil Laxmikant C., Advocate for Applicants in All Applications
Mr. D. J. Patil, AGP for Respondent Nos.1 and 2 – State
Mr. Sham S. Patil and Mr. U. S. Malte, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

DATE : 17.04.2025

PER COURT :

1. These are the Applications preferred by the Applicants - Claimants for withdrawal of the amount deposited by Respondent No.3 – Acquiring Body in this Court.

2. It is submitted by the learned Advocate for the Applicants - Claimants that, in connected matters arising out of the same Acquisition Proceedings, this Court in Civil Application No. 5572/2024 in First Appeal No.2625/2021, along with Civil Application No.5573/2024 in First Appeal No.2623/2021, by order dated 20/06/2024 and in Civil Application No.3456/2025 in First Appeal No.1681/2021 along with Civil Application No.3457/2025 in First Appeal No.1690/2021 and Civil Application No.3459/2025 in First Appeal No.1689/2021, by order dated 28/03/2025, permitted similarly placed Claimants to withdraw the entire amount deposited by the Acquiring Body. He submits that, the Applications be allowed.

3. The learned AGP appears for Respondent Nos.1 and 2 and the learned Advocate appears for Respondent No.3 – Acquiring Body. Though they do not dispute the aforesaid aspect that, other Claimants were permitted to withdraw the amount, they submit that, the Applications be rejected.

4. The Applicants are the Claimants. The Appeals are preferred by the Acquiring Body against the compensation enhanced by the learned Reference Court. The Respondent No.3 – Acquiring Body has deposited 75% of the amount awarded by the Reference Court.

5. On hearing both the sides, and in view of the above-referred orders, by which, similarly placed Claimants have been permitted to withdraw the entire amount deposited by the Acquiring Body, the Applications are allowed in terms of Prayer Clause - 'B', subject to furnishing an undertaking to the satisfaction of the Registrar [Judicial] of this Court.

6. Civil Applications are disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025