



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

932 CIVIL APPLICATION NO. 3456 OF 2025
IN FA/1681/2021

KUBER BABRUWAHAN KADAM

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND ORS

AND

CIVIL APPLICATION NO. 3457 OF 2025
IN FA/1690/2021

SAMIR PANDURANG PATIL

VERSUS

THE STATE OF MAHARASHTRA THR. COLLECTOR OSMANABAD
AND ORS

AND

CIVIL APPLICATION NO. 3459 OF 2025
IN FA/1689/2021

SURYAKANT MARUTI PATIL AND ANR

VERSUS

THE STATE OF MAHARASHTRA THE COLLECTOR, OSMANABAD
AND ORS

....

Mr. Laxmikant C. Patil, Advocate for the Applicants

Mr. R. D. Raut, AGP for Respondent Nos.1 & 2-State

Mr. Umesh Mitkari h/for Mr. Mukul S. Kulkarni, Advocate for
Respondent No.3

....

CORAM : NEERAJ P. DHOTE, J.

DATE : 28.03.2025

PER COURT :-

1. These Applications are preferred for withdrawal of amount deposited by the 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 proceeding, this Court proceeded with C.A. No. 5572 of 2024 in First Appeal No. 2625 of 2021, along with C.A. No. 5573 of 2024 in First Appeal No. 2623 of 2021, by order dated 20th June 2024, permitting similarly situated claimants to withdraw the entire amount deposited by the Acquiring Body. He submits that the application be allowed

3. The learned AGP appears for Respondent Nos. 1 & 2. The Learned Advocate Mr. Mitkari appears for Respondent No.3-Acquiring Body and he does not dispute the aforesaid aspect.

4. The Applicants are the Claimants. The Appeals are filed by the Acquiring Body against the compensation enhanced by the learned Reference Court.

5. The Respondent No.3-Acquiring Body has deposited 75% of the amount awarded by the Reference Court, pursuant to the order dated 25th August, 2021.

6. On hearing both sides, and in view of the above-referred order, by which similarly situated 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.

7. Civil Applications are disposed off accordingly.

[NEERAJ P DHOTE, J.]