



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

**29 CIVIL APPLICATION NO. 3645 OF 2025
IN FAST/16821/2019**

Onkar Tukaram Chaudhari (died) Thr Lrs Narayan (died) Thr Lrs
Laxmibai And Ors

VERSUS

The State Of Maharashtra Thr Collector, Jalgaon And Ors

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Mr. Amol P. Ghulepatil - Advocate for Applicants

Mr. D. J. Patil – AGP for Respondent/State

Mr. G. S. Khaire h/f Mr. S. S. Dande – Advocate for Respondent No. 3

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CORAM : NEERAJ P. DHOTE, J.

DATED : 01ST APRIL 2025

PER COURT : -

1. This Application is filed by the legal representatives of the original claimants for withdrawal of the entire amount deposited by the Acquiring Body in this Court.

2. Learned Advocate for the Applicants submits that, in the connected matters bearing Nos. Civil Application No. 4507 of 2020 in First Appeal No. 837 of 2020, Civil Application No. 4505 of 2020 in First Appeal No. 835 of 2020, Civil Application No. 4506 of 2020 in First Appeal No. 836 of 2020 and Civil Application No. 4508 of 2020 in First Appeal No. 838 of 2020, this Court has permitted the Applicants therein to withdraw 50% of the amount deposited by the Acquiring Body on

furnishing usual undertaking. He submits the Application be allowed in terms of the said order.

3. Learned Advocate for the Acquiring Body and the learned AGP for the State do not dispute that the similarly situated claimants i.e. the Applicants have been permitted to withdraw 50% of the amount deposited by the Acquiring Body. They submit that appropriate orders be passed.

4. A copy of the order dated 14.08.2020 passed in Civil Application No. 4507 of 2020 in First Appeal No. 837 of 2020, Civil Application No. 4505 of 2020 in First Appeal No. 835 of 2020, Civil Application No. 4506 of 2020 in First Appeal No. 836 of 2020 and Civil Application No. 4508 of 2020 in First Appeal No. 838 of 2020 is placed on record, whereby this Court had permitted the Applicants therein to withdraw 50% of the amount deposited by the Acquiring Body. The operative order of the said order reads thus : -

“ORDER

A] The applicants – claimants are permitted to withdraw the amount to the extent of 50% of the amount deposited by appellant – acquiring body on furnishing personal undertaking to the satisfaction of Registrar (Judicial) to the effect that in the event the judgments and awards passed by the Reference Court in their respective case are set aside or modified, the applicants – claimants shall re-deposit the amount as directed by this Court within eight weeks from the date of passing of such order.

- B] The amount as above be paid to the applicants - claimants by transferring the amounts to their respective savings bank accounts.*
- C] After paying the amount to the extent of 50% of the amount deposited to respective applicants, balance amount be invested in fixed deposit initially for a period of three years with State Bank of India with standing instructions to renew the same till further orders from the Court.*
- D] The oral request made by the learned counsel for the applicants to pay the amount to the Power of Attorney holder of the applicants - claimants is refused.*
- E] The applications are disposed of in above terms.”*

5. There is no dispute that the Applicants herein and the Applicants in the said Applications were the claimants in the same acquisition proceedings. Hence, this Application is allowed in terms of the aforesaid order dated 14.08.2020 passed in the said Civil Applications. Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE