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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**935 CIVIL APPLICATION NO. 5180 OF 2025
IN FAST/7639/2023**

AMIT TRIMBAK KALPE MINOR THROUGH GUARDIAN
VERSUS
THE STATE OF MAHARASHTRA THORUGH THE COLLECTOR
OSMANABAD AND OTHERS
WITH
CIVIL APPLICATION NO. 7433 OF 2023
IN FAST/7639/2023

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING
DIVISION OMERGA DISTRICT OSMANABAD
VERSUS
AMIT TRIMBAK KALPE THROUGH GUARDIAN
AND
936 CIVIL APPLICATION NO. 5198 OF 2025
IN FAST/7642/2023

AKSHAY TRIMBAK KALPE THROUGH GUARDIAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
OSMANABAD AND OTHERS
WITH
CIVIL APPLICATION NO. 7435 OF 2023
IN FAST/7642/2023

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING
DIVISION OMERGA DISTRICT OSMANABAD
VERSUS
AKSHAY TRIMBAK KALPE THROUGH GUARDIAN

Mr.R.V.Naiknavare, Advocate for the applicant.
Mr.S.K.Shirse and Ms.R.R.Tandale, AGPs' for the respondent/State.
Mr.Pramod A.Pisal, Advocate for respondent No.3.

(CORAM : PRAFULLA S. KHUBALKAR, J.)

DATE : JULY 17, 2025

PER COURT :

1. Heard. This application is filed, seeking withdrawal of amount deposited by the appellant in this Court alongwith interest pursuant to the impugned judgment and award passed by the learned Reference Court under Section 18 of the Land Acquisition Act. The applicants are original claimants whose land came to be acquired by the respondent.

2. The learned Advocate for the applicants submits that the Acquiring Body has deposited only 75% amount and therefore requests for withdrawal of the entire amount. The learned Advocate for the respondents does not dispute the position that only 75% of the award amount is deposited in accordance with the order dated 19.10.2023 passed by this Court.

3. Considering that the applicants/original claimants have lost valuable land and the amount is deposited towards compensation

in this Court, this Court is inclined to allow the applications with certain conditions. Hence, the order :-

ORDER

The applicants are allowed to withdraw 50% of the deposited amount alongwith accrued interest by the Acquiring Body in this Court on furnishing an undertaking that in case, the appeal is allowed, they shall redeposit the amount with interest in this Court within twelve weeks thereafter. Further 25% of the amount shall be allowed to be withdrawn to the applicants on furnishing solvent surety/ security to the satisfaction of the Registrar Judicial of this Court.

(PRAFULLA S. KHUBALKAR, J.)