



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

**942 CIVIL APPLICATION NO. 4533 OF 2025
IN FAST/4599/2023**

PRABHAKAR NAGNATHRAO LOKHANDE DIED THROUGH LRS LATABAI
PRABHAKARRAO LOKHANDE AND ORS

VERSUS

MAHARASHTRA STATE ROAD TRANSPORT CORPORATION AND ORS
WITH

**CIVIL APPLICATION NO. 1835 OF 2023
IN FAST/4599/2023**

MAHARASHTRA STATE ROAD TRANSPORT CORPORATION THROUGH ITS
DIVISIONAL CONTROLLER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS COLLECTOR AND OTHERS
WITH

**CIVIL APPLICATION NO. 1836 OF 2023
IN FAST/4599/2023**

MAHARASHTRA STATE ROAD TRANSPORT CORPORATION THROUGH ITS
DIVISIONAL CONTROLLER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS COLLECTOR AND OTHERS

Mr.U.B. Bilolikar, Advocate for the claimants.

Mr.A.B. Dhongde, Advocate for the Transport Corporation.

Ms.R.R. Tandale, AGP for the State.

CORAM : KISHORE C. SANT, J.

DATE : 04.10.2025

PC :-

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

01. At the outset, learned Advocate for the applicant seeks leave
to correct figure in para No.4 as Rs. 22,41,695/-.

02. Leave granted.

04. This application is filed for withdrawal of amount deposited by the appellant/Acquiring Body in the office of this Court. Considering that the deposited is towards land acquisition, as property of the applicant is acquired. Hence, following order :-

i) The applicants are allowed to withdraw 50% of the amount along with accrued interest on furnishing usual undertaking. 25% of the amount along with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. Remaining amount shall be invested in fixed deposit of any nationalized bank, to be renewed from time to time, till disposal of the appeal.

ii) The amount be apportioned in equal proportion amongst legal representatives of Prabhakar, Mahavir and Pradip. The amount be disbursed separately in three sets.

CIVIL APPLICATION FOR CONDONATION OF DELAY

01. This application is filed for condonation of delay of 160 days caused in filing the appeal by Acquiring Body.

02. For the reasons stated in the application, the delay stands condoned. The Civil Application is accordingly allowed and is disposed off.

CIVIL APPLICATION FOR STAY

01. Heard learned Advocates for the parties. The appellant has deposited entire amount of compensation along with interest in the office of this Court.

02. Considering the above, there shall be stay to the impugned judgment and award till disposal of the appeal.

03. This Civil Application is accordingly disposed off.

FIRST APPEAL

01. Heard.

02. Admit.

03. Learned AGP waives service of notice for respondent-State. Learned Advocate Mr. Bilolikar waives service of notice for the respondents-claimants.

04. Call for record and proceeding.

[KISHORE C. SANT, J.]