



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

**CIVIL APPLICATION NO. 6502 OF 2025
IN
FIRST APPEAL NO. 653 OF 2024**

Indubai Manikrao Bhojane (Jagtap) .. Applicant

Versus

The State of Maharashtra and others .. Respondents

**WITH
CIVIL APPLICATION NO. 6503 OF 2025
IN
FIRST APPEAL NO. 652 OF 2024**

Sidheshwar Krishnath Mehetre .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Laxmikant C. Patil, Advocate for the Applicants.

Shri B. A. Shinde, A.G.P. for the Respondent No. 1.

Ms. A. S. Hoge Patil, Advocate for the Respondent No. 2 through
V.C.

CORAM : SHAILESH P. BRAHME, J.

DATE : 30TH JUNE, 2025.

FINAL ORDER :

. The respondent No. 2/acquiring body has preferred appeals challenging judgment and award passed by the Reference Court. In pursuance of the order passed by this Court, the respondent No. 2 has deposited amount of Rs.71,29,903/- in First Appeal No. 652 of 2024 and Rs. 10,36,210/- in First Appeal No. 653 of 2024. Applicants are seeking direction to withdraw the amount deposited. For that purpose reliance is placed on the order dated

04th April, 2025 permitting the claimants therein to withdraw 90% of the amount deposited by the acquiring body.

2. Learned counsel Ms. Ashwini Hoge Patil for the respondent No. 2 would oppose the applications. It is submitted that unreasonable and huge compensation has been granted by the Reference Court. It is difficult to recover the amount once disbursed to the claimants.

3. I have gone through the order dated 04th April, 2025 pressed into service by the applicants. There is no dispute that arising out of self same notification and award, those claimants were permitted to withdraw 90% of the amount. I do not find anything on record to take any different view. For the reasons stated in the respective applications, applicants are entitled to receive 90% of the amount deposited by the acquiring body in different cases.

4. The civil applications are allowed partly. Applicants shall be entitled to receive 75% of the amount deposited along with accrued interest on furnishing undertaking and 15% of the amount along with accrued interest on furnishing solvent surety. The balance amount shall be invested in any nationalized bank. The civil applications are disposed of.

[SHAILESH P. BRAHME J.]