



(1)

922-CA-11256-2025

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

**922 CIVIL APPLICATION NO. 11256 OF 2025
IN FAST/12659/2024**

Ananta Piraji Naiknaware Died Through Lrs Aasarabai Parwati Mahadeo
Gore And Ors

VERSUS

The State Of Maharashtra Through The Collector Osmanabad And Ors.

WITH

**CIVIL APPLICATION NO. 5586 OF 2024
IN FAST/12659/2024**

WITH

**CIVIL APPLICATION NO. 5587 OF 2024
IN FAST/12659/2024**

...

Mr. Laxmikant C. Patil, Advocate for Applicant.

Smt. R. R. Tandale, AGP for Respondent-State.

Mr. Mukul S. Kulkarni, Advocate for Respondent No.3.

CORAM : KISHORE C. SANT, J.

DATE : 10th OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
 2. This application is filed for condonation of delay of 1506 days caused in filing the first appeal by the acquiring body.
 3. For the reasons stated in the application, delay stands condoned.
- Application is allowed. Office to register first appeal.

Ethape

4. With this, civil application stands disposed off.

FIRST APPEAL

5. Heard.

6. Admit.

7. Issue notice to the Respondents.

8. Learned Advocate Mr. Patil waives service of notice for respondent claimant.

9. Learned AGP waives service of notice for respondent-State.

STAY APPLICATION

10. The applicant acquiring body has already deposited the amount as per impugned judgment and award in the office of this Court alongwith interest.

11. In view of the same, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

12. With this, civil application stands disposed off.

WITHDRAWAL

13. Heard the learned Advocates for the parties.

14. This application is filed for withdrawn of the amount deposited by the appellant acquiring body in the office of this Court.

15. The application is vehemently opposed by the learned Advocate for the Respondent.

16. This Court has already passed an order dated 17th April 2025 in Civil Application No. 4049/2025 in First Appeal No.1040/2024 arising out of the same acquisition proceedings.

17. Since the amount of Rs.2,60,000/-, this Court is inclined to allow the application in its entirety. Hence, the following order:

ORDER

- (i) Application stands allowed.
- (ii) The applicants are permitted to withdraw entire amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) With this, civil application stands disposed off.

[KISHORE C. SANT, J.]