



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

27 CIVIL APPLICATION NO. 4981 OF 2025
IN FAST/32970/2021

ALKABAI KAILAS PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
JALGAON

WITH

CIVIL APPLICATION NO. 13622 OF 2021
IN FAST/32970/2021 WITH
CIVIL APPLICATION NO. 13623 OF 2021
IN FAST/32970/2021

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Advocate for Applicant : Ms. S. A. Kale h/f Mr. Kale Ajeet B.
AGP for Respondents-State : Mrs. M. N. Ghanekar.
Advocate for Respondent No.3 : Mr. Rahul A. Tambe.

CORAM : SHAILESH P. BRAHME, J.
DATE : 10.12.2025

PER COURT :-

1. Heard both sides.
2. Applicants seek to condone delay of 1592 days in preferring first appeal for the reasons stated in the application. There is no serious objection by the respondent/claimant. The delay stands condoned.
3. Civil application for delay allowed.

First Appeal

4. Admit.

5. Learned counsel Ms. Kale waives service of notice for respondent/claimant.

6. Call for Record and Proceedings from the concerned Court.

7. Print is dispensed with.

Civil Application for Stay

8. As the amount is deposited in pursuance of the orders of this Court, ad-interim relief granted earlier shall stand confirmed.

9. Civil application is disposed of.

Civil Application for Withdrawal

10. The applicant seeks to withdraw amount of Rs.11,20,550/- deposited by the respondent/acquiring body. The acquiring body has deposited 60% of the amount with accrued interest in pursuance of the earlier orders.

11. My attention is adverted by the learned counsel for the applicant that in a similarly situated matters, the claimants were permitted to withdraw the amount with accrued interest.

I find no difficulty in adopting the same course.

12. Civil application is partly allowed permitting the applicant to withdraw 60% of the amount along with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

13. Civil application is disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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vmk/-