



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

**CIVIL APPLICATION NO. 7983 OF 2025
IN FAST/23234/2023**

Atmaram Bahu Khopade Died Through Lrs Taramati Atmaram
Khopade And Ors

VERSUS

Union Of India Through The General Manager Central
Railway Mumbai And Ors.

WITH

CIVIL APPLICATION NO. 7984 OF 2025 IN FAST/23316/2023

Haribhau Rambhau Bahadurge And Ors

VERSUS

Union Of India Through The General Manager Central
Railway Mumbai And Ors.

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Mr. D. A. Bide, Advocate for Applicant

Mr. A. G. Talhar, Advocate for Respondent/Acquiring body

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CORAM : AJIT B. KADETHANKAR.

DATED : 20TH SEPTEMBER, 2025

ORDER :-

. Feeling aggrieved by the judgment and award dated 11.04.2022, passed by the learned Civil Judge, Senior Division, Beed in L.A.R. Nos.751 of 2014 and 750 of 2014 respectively, the Acquiring Body has filed the present appeals.

2. Pursuant to the stay granted by this Court and on condition precedent imposed therein, the Acquiring Body has deposited the entire payable award amount in this Court. Now, the claimants seek withdrawal of the same.

3. Mr. D. A. Bide, learned Advocate for the claimants submits that their sole source of livelihood has been acquired by the Acquiring Body under compulsory acquisition. He would further submit that very meager amount was granted by the Special Land Acquisition Officer and by appreciation the evidence on record, the learned Reference Court has granted enhancement to which they deserve. With this, Mr. D. A. Bide seeks permission to withdrawal of entire awarded amount vide present application. Mr. Bide placed on record an order passed by this Court on 03.05.2023 in Civil Application No.3613 of 2023 in First Appeal St. No.25229 of 2021 with connected matters, wherein this Court has allowed the applicants therein to withdraw the entire amount deposited by the appellants therein in this Court.

4. Mr. D. A. Bide while placing reliance on the said order, submits that the appeals and orders therein (supra) arose out of the same land acquisition proceeding and the same land acquisition notification/award which is subject matter of the present appeal and applications. Mr. Bide would submit that the objection raised by the appellants in the appeals cited (supra) is the same which is raised in the present appeals by

the appellant/Acquiring Body. He would further submit that the withdrawal of that was granted vide order dated 03.05.2023 upon hearing the acquiring body/appellant. In view of this, on the principle of parity, Mr. Bide seeks such withdrawal in the present matter also.

5. Mr. A. G. Talhar learned Advocate representing the Acquiring Body in all fairness agrees to the actual position that the cited orders and appeals pertain to the same land acquisition proceedings and award which is subject matter of the present appeals and applications.

6. In view of the above facts, I pass following order:

ORDER

- a. Civil Applications stand allowed.
- b. The applicants in respective applications are permitted to withdraw the amount alongwith accrued interest deposited by the appellant/Acquiring Body in this Court subject to furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.
- c. Civil Applications stand disposed of.

(AJIT B. KADETHANKAR, J.)