

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5488 OF 2025
IN FAST/26033/2023

SWARUP BABURAO SAWANT AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

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Advocate for Applicant : Mr. Shashikiran N Patil
AGP for Respondent/State: Mr. S. J. Salgare
Advocate for Respondent No.3 : Mr. Shyam C. Arora

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WITH

CIVIL APPLICATION NO. 5491 OF 2025
IN FAST/26005/2023

NAGRAJ PANCHAKSHARI SWAMI AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

WITH

CIVIL APPLICATION NO. 5520 OF 2025
IN FAST/26008/2023

PRAKASH SHAMRAO MANE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

WITH

CIVIL APPLICATION NO. 5492 OF 2025
IN FAST/26012/2023

GUNWANT PANDURANG SAWANT AND OTHER

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

WITH

CIVIL APPLICATION NO. 5495 OF 2025
IN FAST/26017/2023

CHANDRAHANS PANDHARINATH SHINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

WITH
CIVIL APPLICATION NO. 6270 OF 2025
IN FAST/26021/2023

SHETIBA DURGAPPA PAWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

WITH
CIVIL APPLICATION NO. 5489 OF 2025
IN FAST/26029/2023

DNYANOBA MAHADU SAWANT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT
COLLECTOR, LATUR AND ORS

WITH
CIVIL APPLICATION NO. 5494 OF 2025
IN FAST/26036/2023

SHATRUGHNA MADHAVRAO HERKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

WITH
CIVIL APPLICATION NO. 5490 OF 2025
IN FAST/26040/2023

BABU SANGRAM LATE DIED THROUGH LEGAL HEIRS
LAXMIBAI BABULAATE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
LATUR AND ORS

**CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 25th JULY 2025

ORDER:-

1. This application is filed seeking direction to the respondent Acquiring Body to deposit remaining 30% amount in this Court. Vide order dated 8th September 2023, this Court directed the Acquiring Body to deposit 70% of the decretal amount and on such deposit stay is granted to the impugned award.
2. Being aggrieved by the said direction, the claimant approached the Apex Court and pointed out that in the matters arising out of the same acquisition, the learned Single Judge of this Court directed the Acquiring Body to deposit 100% amount.

The Apex Court by order dated 21.04.2025 has observed as follows :-

- “ 1. Learned counsel for the petitioner states that in other matters, the High Court has directed that 100% of the decretal amount be deposited, however, in the present matter only 70% of the decretal amount has been directed to be deposited.
2. The petitioners are directed to bring this fact to the notices of the High Court. The High Court would consider the same and pass appropriate orders.
3. The special leave petitions are, accordingly, disposed of.
4. Pending application(s), if any, shall stand disposed of. ”

3. In the light of above facts and as in the cases of similarly situated claimants, this Court has directed the Acquiring Body to deposit 100% amount on the ground of parity, we allow these applications and direct the Acquiring Body to deposit remaining 30% amount along with accrued interest thereon, within 12 weeks from today.

4. For the present, the claimants have not not pressed prayer clause (B), seeking withdrawal of the amount.

(SANDIPKUMAR C. MORE)
JUDGE

(NITIN B. SURYAWANSHI)
JUDGE

Y.S. Kulkarni