



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

**CIVIL APPLICATION NO. 9764 OF 2025
IN FA/3739/2023**

Kundalik Laxman Waman And Ors

VERSUS

**The M.k.v.d.c., Thr, Executive Engineer, Medium Project,
Osmanabad And Another**

WITH

**CIVIL APPLICATION NO. 9760 OF 2025
IN FA/3740/2023**

Shankar Bhimaji Waman And Anr

VERSUS

**The M.k.v.d.c., Thr, Executive Engineer, Medium Project,
Osmanabad And Another**

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Mr. S. E. Shekade, Advocate for Applicants

Mr. S. V. Hange, AGP for Respondent-State

Mr. A. M. Gaikwad, Advocate for Respondent no.1

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CORAM : AJIT B. KADETHANKAR.

DATED : 11TH SEPTEMBER, 2025

ORDER :-

. Heard.

2. These are the applications seeking permission to withdraw the award amount deposited by the appellant in the First Appeals arising out of the judgment and awards dated 17.04.2018, passed by learned District Judge, Beed, in L.A.R. Nos.362 of 2012 and 325 of 2012 respectively.

3. Mr. S. E. Shekade, learned counsel for the applicants submits that stay has been granted for execution of the award impugned in the First Appeal, subject to deposit of 50% payable award amount. Such amount is deposited by the acquiring body, a portion of which has already been withdrawn by the applicants. He places on record a copy of the order dated 13.08.2025, passed in Civil Application No.6693 of 2025 in FA St No.2851/2021. Placing reliance on the said order, he submits that vide the order dated 13.08.2025, the amount deposited by the acquiring body in this court has been permitted to be withdrawn by the applicants therein. He submits that the present appeal also arises out of the same land acquisition proceedings and the same award. He, therefore, prays that the applicants herein may be permitted to withdraw the remaining amount.

4. Mr. A. M. Gaikwad, learned counsel for the acquiring body, fairly concedes and does not disapproves the submissions made by Mr. Shekade, learned counsel.

5. Hence, the following order:-

ORDER

- a. The entire amount deposited by the respondent - Acquiring Body in this matter along with interest accrued thereon be transferred to the Court of the learned Principal District Judge, Beed at Beed, for withdrawal and disbursement.
- b. The applicants/claimants or the Special Power of Attorney Holder, as the case may be, are permitted to withdraw the remaining amount of compensation along with interest accrued thereon, on furnishing usual undertaking to the satisfaction of the Registrar of the Reference Court.
- c. The amount shall be disbursed to the applicants/claimants as per the apportionment mentioned in paragraph 15 of the application.
- d. Civil Applications are accordingly disposed of.

(AJIT B. KADETHANKAR, J.)