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CA 6470 OF 2025 & ORS

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

**940 CIVIL APPLICATION NO. 6470 OF 2025
IN FA/1131/2022**

**DIGAMBAR S/O SOPAN THOMBARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THR. COLLECTOR OSMANABAD
AND ORS.**

...

Advocate for Applicants : Mr. Laxmikant C.Patil
AGP for Respondent nos.1 & 2 : Mr.S.S.Dande
Advocate for Respondent no.3 : Mr. S.A.Mulla h/f. Mr.R.K.Ingole

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**WITH
CIVIL APPLICATION NO. 6472 OF 2025
IN FA/1134/2022**

WITH

**CIVIL APPLICATION NO. 6473 OF 2025
IN FA/1132/2022**

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 03 JULY, 2025

PER COURT :-

1. Heard the learned counsel for the parties.
2. Learned counsel for the applicants would submit that the order passed by this Court in another appeals is on different facts. In the case in hand there were houses and fruit trees in the field. The award is passed mechanically like cut and paste. Learned Reference

Court has granted interest from the date of possession. The respondents have deposited money calculating interest from the date of award though Reference Court allowed the interest on the date of possession. Therefore, view of this earlier order may be considered.

3. In view of above, following order is passed :

ORDER

- (i) Applications are partly allowed.
- (ii) Applicants are allowed to withdraw 75% of the total amount of compensation alongwith interest thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(ABHAY S. WAGHWASE)
JUDGE

VRE