



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

**934 CIVIL APPLICATION NO. 7662 OF 2025
IN FA/2951/2024**

VISHNU APPASAHEB KHOLE AND ORS

VERSUS

**UNION OF INDIA THROUGH THE GENERAL MANAGER
CENTRAL RAILWAY MUMBAI AND ORS.**

**WITH CIVIL APPLICATION NO. 7664 OF 2025 IN
FA/2953/2024 WITH CIVIL APPLICATION NO. 15236 OF 2023
IN FA/2951/2024 WITH CIVIL APPLICATION NO. 15240 OF
2023 IN FA/2952/2024 WITH CIVIL APPLICATION NO. 15238
OF 2023 IN FA/2953/2024**

AND

**935 CIVIL APPLICATION NO. 7663 OF 2025
IN FAST/9021/2024**

SAKHARAM LAXMAN KHOLE AND ANR

VERSUS

**UNION OF INDIA THROUGH THE GENERAL MANAGER
CENTRAL RAILWAY MUMBAI AND ORS.**

**WITH CIVIL APPLICATION NO. 7117 OF 2024 IN
FAST/9021/2024 WITH CIVIL APPLICATION NO. 7116 OF
2024 IN FAST/9021/2024**

AND

**938 CIVIL APPLICATION NO. 7705 OF 2025
IN FAST/9024/2024**

**SARJERAO GANPAT PAWAR DIED THROUGH LRS SUDAMATI
SARJERAO PAWAR AND ORS**

VERSUS

**UNION OF INDIA THROUGH THE GENERAL MANAGER
CENTRAL RAILWAY MUMBAI AND ORS.**

**WITH CIVIL APPLICATION NO. 7114 OF 2024 IN
FAST/9024/2024 WITH CIVIL APPLICATION NO. 7115 OF
2024 IN FAST/9024/2024**

AND

**939 CIVIL APPLICATION NO. 7707 OF 2025
IN FAST/14830/2024**

UDHAV HARIBHAU TAK AND ANR

VERSUS

UNION OF INDIA THROUGH THE GENERAL MANAGER
CENTRAL RAILWAY MUMBAI AND ORS.

**WITH CIVIL APPLICATION NO. 8675 OF 2024 IN
FAST/14830/2024 WITH CIVIL APPLICATION NO. 8676 OF
2024 IN FAST/14830/2024**

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Advocate for Applicants in all : Mr. Bide Dnyaneshwar A.
Advocate/DSGI for Respondent/UOI in all : Mr. A. G. Talhar.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 25.07.2025**

PER COURT :-

1. Heard both sides.
2. Learned counsel Mr. Bide appearing for the applicants praying for withdrawal of the amounts deposited by the respondents/acquiring body in this Court. He tenders on record couple of orders passed by Co-ordinate Bench in the matters of the claimants from the self same acquisition proceedings permitting them to withdraw amount on furnishing undertaking.
3. Learned counsel Mr. Talhar fairly concedes the situation and informs that already a view is taken previously by various Co-ordinate Benches in permitting the claimants to receive entire amounts of compensation. The parties are ad-idem that present appeals are emanating from self same acquisition

proceedings from which other connected appeals were preferred and the claimants therein were permitted to withdraw entire amount deposited by acquiring body on furnishing undertaking. I find no difficulty in following the same reasons and the course for allowing the present applications also.

4. Respondents/acquiring body has deposited entire amount of compensation with accrued interest. It reveals from record that in First Appeal No.2952 of 2024 no separate application is filed for withdrawal of amount. However, as the Co-ordinate Benches have permitted the claimants to receive the amount and I am also adopting the same course, the technicality would not be an impediment in permitting the applicants to receive the amount.

5. Civil applications for withdrawal of amount are allowed by permitting the applicants to receive the amount deposited in this Court with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

Civil Applications for Stay

6. As the entire amount under award is deposited by the acquiring body, ad-interim relief granted earlier shall stand confirmed.

7. Civil Applications for stay are disposed of.

First Appeals

8. **Admit.**

9. Learned counsel Mr. Bide waives service of notice for respondents/claimants.

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

11. It reveals from record that after having heard both the learned counsels, it transpires that acquiring body has preferred number of appeals approximately 600 against award passed by the Reference Court but the enhancement is either just little more four time than from the rate granted by the Land Acquisition Officer. There is already policy in vogue that if the enhancement is not more than four times then acquiring body should not resort to file appeals. The same policy can be made applicable in its letter and spirit without adhering to the technicalities.

12. Learned DSGI Mr. Talhar submits that he has already given instructions to his client and he is ready to examine the matter so as to continue with the appeals or not. If Mr. Talhar

comes up with positive instructions, these appeals can be disposed of in view of policy before this Court or Lok-Adalat. In most of the appeals, claimants are already permitted to withdraw the amount deposited in this Court with accrued interest.

Civil Applications for delay.

13. Heard both the sides.

14. For the reasons stated in the applications and after considering the submissions of the parties, delay caused in preferring appeals stand condoned.

15. Civil applications for delay are allowed.

(SHAILESH P. BRAHME, J.)

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