



( 1 )

907-CA-7553-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

907 CIVIL APPLICATION NO. 7553 OF 2025  
IN FA/1929/2025

Gayandeo S/o Kondiba Magar Died Thr Lrs Radhabai And Ors

VERSUS

The State Of Maharashtra, Through The Collector And Anr.

WITH

CIVIL APPLICATION NO. 4375 OF 2023  
IN FA/1929/2025

...

Mr. Laxmikant C. Patil, Advocate for Applicants.

Mr. Ashwini Sandeep Hoge, Advocate for Respondent No.2.

Mr. R. B. Dhaware, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 17<sup>th</sup> OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This civil application is filed by the original claimant, respondent in the first appeal, for withdrawal of the amount deposited by the Appellant-Acquiring Body in the office of this Court.
3. The learned Advocate for the applicants submits that this Court has already passed an order in the appeal arising out of same acquisition

Ethape

proceeding. He relies upon the order dated 19<sup>th</sup> December 2024 passed by this Court in Civil Application No.13693 of 2024 in First Appeal No.10654 of 2023 with other companion applications in which this Court had allowed the applicants therein to withdraw 75% of the amount. Hence, the following order:

### **ORDER**

- (i) Civil Application stands allowed.
- (ii) The applicants are permitted to withdraw 75% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) Remaining amount be kept in fixed deposit in any nationalized bank to be renewed till final disposal of the first appeal.
- (v) With this, civil application stands disposed off.

### **STAY APPLICATION**

4. This application is filed for stay to the impugned judgment and award.

5. Since the appellant acquiring body has deposited the entire amount of compensation in the office of this Court as per impugned judgment and award, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

6. With this, civil application stands disposed off.

**[KISHORE C. SANT, J.]**