

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

927 CIVIL APPLICATION NO.6416 OF 2024
IN FA/3865/2019

Maruti @ Sambha Krushna Karke

Versus

The State of Maharashtra
Thr Collector, Osmanabad and Ors

.....

AND

CIVIL APPLICATION NO. 6431 OF 2024
IN FA/3862/2019

Ramling Ganpati Katgave

Versus

The State of Maharashtra
Thr Collector, Osmanabad and Ors

.....

AND

CIVIL APPLICATION NO. 6430 OF 2024
IN FA/3864/2019

Baburao Shrimant Karke

Versus

The State of Maharashtra
Thr Collector, Osmanabad and Ors

.....

AND

CIVIL APPLICATION NO. 6429 OF 2024
IN FA/3866/2019

Manik Dyanoba Katgave

Versus

The State of Maharashtra
Thr Collector, Osmanabad and Ors

.....

AND

CIVIL APPLICATION NO.6387 OF 2024
IN FA/3863/2019

Vitthal Shivram Jawalge (Died)
Thr. LRs Dhondabai V. Jawalge and Ors

Versus

The State of Maharashtra

Thr Collector, Osmanabad and Ors

.....

AND

CIVIL APPLICATION NO.6428 OF 2024

IN FA/3868/2019

Sunil Ramling Katgave

Versus

The State of Maharashtra
Thr Collector, Osmanabad and Ors

.....

Mr. Laxmikant C. Patil,
Advocate for the Applicants in all the Applications
Shri. D. J. Patil, AGP for the Respondent / State
in all the Applications
Shri. A. N. Gaddime, Advocate for Respondent No.3 in all the
Applications.

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CORAM : NEERAJ P. DHOTE, J.

Dated : MARCH 27, 2025

PER COURT :-

. These are the Applications for withdrawal of remaining 25% amount deposited by the Acquiring Body with the Office of this Court.

2. It is submitted by the learned Advocate for the Applicants that the Acquiring Body had deposited entire amount awarded by the learned Reference Court and the Applicants in the respective Applications have withdrawn total 75% amount from the said amount deposited by the Acquiring Body. He submits that 25% amount remains with this Court and the Applicants are ready to furnish solvent surety/security against withdrawal of the said remaining amount. He submits that this Court in similar matters i.e. in group of Civil Application No.6170 of 2024 in First

Appeal No.2657 of 2019 and other Applications has allowed the same request.

3. The Applications are opposed by the learned Advocate for the Acquiring Body. He submits that the Applicants have already withdrawn 75% of the amount and if the Applications are allowed, nothing would survive in the Appeals. He submits that the Applications be rejected.

4. The learned AGP opposes the Applications.

5. There is no dispute that by order dated 27.09.2024 passed in the aforesaid Civil Applications, this Court had considered and granted similar prayer. The Applicants herein are ready to furnish solvent surety/security towards withdrawal of the remaining 25% amount along with interest accrued thereon.

6. In view of the above, there is no impediment to allow the Applications and the same are allowed in terms of prayer clause 'B' therein, subject to furnishing solvent surety/security by the Applicants against the said withdrawal to the satisfaction of Registrar (Judicial) of this Court. Civil Applications stand disposed off accordingly.

(NEERAJ P. DHOTE, J.)