



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6719 OF 2025

IN

FIRST APPEAL NO. 349 OF 2021

BUDHIWANT S/O DIGAMBAR BHOSALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

CIVIL APPLICATION NO. 6718 OF 2025

IN

FIRST APPEAL NO. 354 OF 2021

ANIRUDHA S/O DIGAMBAR BHOSALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

CIVIL APPLICATION NO. 8314 OF 2025

IN

FIRST APPEAL NO. 353 OF 2021

VITTHAL S/O SHIVAPPA KOKATE DIED THROUGH LRS RAM VITTHAL

KOKATE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

CIVIL APPLICATION NO. 8315 OF 2025

IN

FIRST APPEAL NO. 357 OF 2021

WANDABAI W/O NAGNATH BHOSALE DIED THROUGH LRS

MUDRIKABAI W/O MANIK BHOSALE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Applicants : Mr. L. C. Patil

APP for Respondent Nos. 1 and 2 : Mrs. M. L. Sangit

Advocate for Respondent No.3 : Ms. Sunita D. Shelke

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 26 AUGUST 2025

PER COURT :

1. These are applications by the original claimants for withdrawal of the entire 75% amount deposited by the appellant/acquiring body in this Court.
2. Heard the learned Advocate for Applicants/claimants and learned Advocate for the Acquiring Body.
3. The Appeals are preferred by the Acquiring Body against the judgment and award dated 19.09.2024 passed by the Joint Civil Judge Senior Division, Omerga in respective Land Acquisition References, by which the compensation has been enhanced 7 to 8 times than the compensation granted by the Special Land Acquisition Officer. The Acquiring Body has deposited 75% amount under the award, along with interest accrued thereon. There is no dispute on the aspect that, the learned Reference Court in concerned References, has permitted the claimants therein to withdraw the entire 100% amount, which was deposited by the Acquiring Body before the learned Reference Court.

4. Learned Advocate for the Acquiring Body submits that, withdrawal may be permitted only against some security/surety.

5. 25% amount is already secured with the Acquiring Body. In this view of the matter, I see no impediment to allow the applicants/claimants to withdraw the entire 75% amount deposited by the Acquiring Body on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(ABHAY S. WAGHWASE, J.)