



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 CIVIL APPLICATION NO. 7375 OF 2025 (Withdrawal)
IN FA/3761/2016

WAMAN RAJARAM KALE (DIED) THROUGH LRS KALABAI WAMANRAO
KALE

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
OSMANABAD AND OTHERS

...

Ms. M. S. Andhare h/f. Mr. A. B. Kale, Advocate for Applicant
Mr. S. S. Dande, AGP for Respondents-State
Mr. Rahul Tambe, Advocate for Respondent No.3

...

WITH

CIVIL APPLICATION NO. 7374 OF 2025 (Withdrawal)
IN FA/3762/2016

DILIP BABURAO KULKARNI (DIED) THROUGH LRS SMT VAISHALI KILIP
KULKARNI

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
OSMANABAD AND OTHERS

WITH

CIVIL APPLICATION NO. 7373 OF 2025 (Withdrawal)
IN FA/3763/2016

UTTAM LAXMAN KARAKE

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR
OSMANABAD AND OTHERS

WITH

X-OBJECTION (STAMP) NO. 26589 OF 2018
IN FA/3763/2016

UTTAM LAXMAN KARAKE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 17.10.2025

PER COURT :-

1. These Civil Applications are filed seeking withdrawal of the balance amount deposited by the acquiring body in this Court pursuant to the order passed staying the execution and operation of the judgment and award impugned in the First Appeal.

2. Ms. M. S. Andhare, holding for Mr. A. B. Kale, learned counsel for the applicants, relies upon the order dated 13th October 2025 passed by this Court in Civil Application No. 8082 of 2025 in First Appeal No. 2699 of 2018 along with connected matters. She submits that in the said matter, the claimants were earlier permitted to withdraw 75% of the amount deposited and were subsequently allowed to withdraw the remaining 25% upon furnishing solvent surety/sureties to the satisfaction of the Registrar (Judicial). She further submits that the present matters arise from the same land acquisition proceedings and pertains to the same land acquisition award as in the cited case. The objections raised by the acquiring body in the present matters are also similar to those raised in the cited matter.

3. Mr. Rahul Tambe, learned counsel for the acquiring body who now represents the respondent in place of Mr. Vinod Patil fairly agrees with the statement made by the applicants and states that he has no objection to the Civil Applications being allowed in the same terms as in the cited matter. He submits that appropriate orders may be passed accordingly.

4. In view of the above, the Civil Applications are allowed. The applicants are permitted to withdraw the remaining 25% of the deposited amount upon furnishing solvent security/surety to the satisfaction of the Registrar (Judicial).

5. In light of the above developments and as Mr. Rahul Tambe now represents the acquiring body, the appearance and Vakalatnama of Mr. Vinod Patil, learned counsel stand discharged.

6. The Civil Applications are accordingly disposed of.

[AJIT B. KADETHANKAR, J.]