



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CIVIL APPLICATION NO. 9600 OF 2025
IN FAST/18345/2023

NITIN TUKARAM BHOSALE

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR OSMANABAD AND ORS

...

Mr. P. B. Rakhunde, Advocate for Applicant

Mr. S. V. Hange, AGP for Respondents-State

Mr. V. P. Narwade, Advocate for Respondent No.3

WITH

CIVIL APPLICATION NO. 7833 OF 2023
IN FAST/18345/2023

THE EXECUTIVE ENGINEER MINOR IRRIGATION PROJECT OSMANABAD

VERSUS

NITIN TUKARAM BHOSLE AND ORS

WITH

CIVIL APPLICATION NO. 7834 OF 2023
IN FAST/18345/2023

THE EXECUTIVE ENGINEER MINOR IRRIGATION PROJECT OSMANABAD

VERSUS

NITIN TUKARAM BHOSLE AND ORS

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 12.11.2025

PER COURT :-

CIVIL APPLICATION NO. 9600 OF 2025

1. Applicant seeks to withdraw an amount of Rs.2,51,207/- on the ground of parity.
2. From the same acquisition proceedings, an appeal reached the High Court and claimants were permitted to withdraw entire amount on undertaking and the solvent surety/security. Such order is placed on record dated 6th March 2025 passed in Civil Application No.2702 of 2025 in First Appeal Stamp No.29140 of 2023. I proposed to follow the same course.
3. Civil Application is partly allowed by permitting the applicant to receive 50% of the amount with accrued interest on furnishing undertaking and balance 50% amount with accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial). Office to register the First Appeal.

CIVIL APPLICATION NO. 7833 OF 2023

1. Applicant prays for condonation of delay of 2891 days in preferring the appeal.
2. The averments in the application are not controverted. There are no malafides on the part of the acquiring body.
3. Civil Application is allowed and the delay stands condoned.

FIRST APPEAL STAMP NO.18345 OF 2023

1. **Admit.**
2. Mr. P. B. Rakhunde, learned counsel waives service of notice for respondent no.1.
3. Call for Record and Proceeding. Print is dispensed with.

CIVIL APPLICATION NO. 7834 OF 2023

1. As the entire amount is deposited by the acquiring body, *ad-interim* relief granted earlier shall stand confirmed.
2. Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)