



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6848 OF 2025
IN FA/1611/2022

SAINATH RAMRAO MATSAGAR AND OTHERS
VERSUS
OFFICE IN-CHARGE, OFFICE OF MAHARASHTRA INDUSTRIAL
DEVELOPMENT AND OTHERS

...
Advocate for Applicants : Mr. S. S. Kazi
Respondent nos.1 & 2 : Mr.S.S.Dande
AGP for Respondent no.3 : Mr.S.M.Ganachari

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 09 JULY, 2025

PER COURT :-

1. Learned advocate for applicants/claimants submits that applicants may be permitted to withdraw 50% of the amount together with accrued interest, deposited by the respondent acquiring body.
2. Learned advocate for the respondent acquiring body submits that though the lands were acquired long back, for the present, claimants are obstructing for demarcation of acquired lands and taking their measurement. He further submits that claimants have already withdrawn the amount awarded by the Special Land Acquisition Officer.

Learned advocate representing applicants/claimants has assured

the Court that claimants will co-operate in measurement and demarcation of the acquired land.

3. Copy of order passed by this Court in connected matter, arising out of the same land acquisition, in Civil Application No.13276 of 2023 in First Appeal No.3496 of 2022 and connected matters dated 14.06.2024 is placed on record. By this order, claimants are permitted to withdraw 50% amount of compensation deposited by the Corporation in this Court, along with interest accrued thereon. There is no reason to take a different view in the present matter as all these matters are connected and arise out of same acquisition. Hence, the following order:-

ORDER

- (i) Civil Application is allowed.
- (ii) Applicants/claimants are permitted to withdraw 50% of the deposited amount along with accrued interest thereon, if any, on condition that they shall co-operate in measurement and demarcation of their acquired lands.
- (iii) 25% of deposited amount shall be withdrawn on furnishing usual undertaking.
- (iv) Another 25% of the deposited amount shall be withdrawn on furnishing solvent security to the satisfaction of the Registrar (Judicial) of this Court.

- (iv) Remaining 50% amount shall be deposited in any nationalized bank in the fixed deposit on yearly renewal basis, till disposal of appeals.

(ABHAY S. WAGHWASE)
JUDGE

SPT