



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

**930 CIVIL APPLICATION NO. 7089 OF 2025
IN FAST/20991/2020**

Krashna Sopan Jadhav (died) Thr Lrs Bhimrao & Ors.Applicants

VERSUS

The State of Maharashtra
Thr The Collector Osmanabad & Ors.Respondents

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Mr. Patil Laxmikant C., Advocate for Applicant
Mr. A. D. Wange, AGP for Respondent Nos.1 and 2
Mr. U. S. Mitkari h/f Mr. M. S. Kulkarni, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.
DATE : 04.11.2025

PER COURT :

1. This is an Application for withdrawal of the amount by the Applicants / Original Claimants in the Appeal preferred by the Executing Body against the Judgment and Award of the learned Reference Court.
2. Heard both the sides.
3. This Court, by order dated 08/02/2021, granted stay to the impugned Judgment and Award subject to condition that, the Appellant – Acquiring Body shall deposit 70% of the compensation awarded by the learned Reference Court within the stipulated period. According to the learned Advocates for the parties, the Acquiring Body has complied with the said order.

4. The learned Advocate for the Applicants / Original Claimants submits that, this Court, in connected Appeal No.290/20224, by order dated 09/09/2025 passed in Civil Application No.9599/2025, has permitted the Claimant therein to withdraw the entire amount deposited by the Acquiring Body.

5. The learned Advocate for the Acquiring Body does not dispute the aforesaid aspect.

6. In the case in hand, 70% of the amount has been deposited by the Acquiring Body. Considering all the aspects, the Applicants are permitted to withdraw 70% of the amount deposited by the Acquiring Body, subject to furnishing regular undertaking for 50% of the amount and furnishing solvent security / surety for 20% of the amount along with accrued interest.

7. Civil Application stands disposed off accordingly.

[NEERAJ P. DHOTE, J.]