



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

**956 CIVIL APPLICATION NO. 7248 OF 2025
IN FAST/5174/2024
PADMAKAR KACHARU SURASE**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH DISTRICT
COLLECTOR AURANGABAD AND ORS**

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Advocate for Applicant : Mr. Shubham Jaybhar h/f
Mr. Jayabhar Dattatraya R.
AGP for Respondent Nos.1 and 2/State : Mr. D.B. Bhange
Advocate for Respondent No.3 : Mrs. Suvarna M. Zaware

...

AND

**957 CIVIL APPLICATION NO. 7270 OF 2025
IN FA/2451/2024
DNYANESHWAR S/O GANPAT UBALE**

VERSUS

THE EXECUTIVE ENGINEER AND ORS

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Advocate for Applicant : Mr. Shubham Jaybhar
AGP for Respondent Nos.2 and 3/State : Mr. B.A. Shinde
Advocate for Respondent No.1 : Mr. Santosh C. Bhosale

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**958 CIVIL APPLICATION NO. 7272 OF 2025
IN FA/1393/2024
SAHEBRAO GAHENAJI SONAWANE AND ORS**

VERSUS

**GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION AND ORS**

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Advocate for Applicants : Mr. Shubham Jaybhar
AGP for Respondent Nos.2 and 3/State : Mr. D.B. Bhange

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959 CIVIL APPLICATION NO. 7309 OF 2025
IN FA/2808/2024
PRALHAD CHHABU THAKRE
VERSUS
THE EXECUTIVE ENGINEER AND ORS

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Advocate for Applicant : Mr. Shubham Jaybhar h/f
Mr. Jayabhar Dattatraya R.
AGP for Respondent Nos.2 and 3/State : Mr. B.A. Shinde
Advocate for Respondent No.1 : Mrs. Sarita V. Gaikwad

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18th JULY 2025

PER COURT :

1. Applicants who are original Claimants, are seeking withdrawal of amount deposited by the Acquiring Body. Following are the deposited amounts :

- (a) In First Appeal Stamp No.5174/2024 – Amount of Rs.16,99,184/-.
- (b) In First Appeal No.2451/2024 – Amount of Rs.10,30,832/-.
- (c) In First Appeal No.1393/2024 – Amount of Rs.87, 78, 508/-.
- (d) In First Appeal No.2808/2024 – Amount of Rs.4, 25, 565/-.

2. Learned Counsel for the Applicants submits that in similarly situated matters by the coordinate bench, permitted then Claimants to receive 50% of the amount on furnishing undertaking and further 25% on furnishing solvent surety/security. He would pray that on the ground of parity, the Claimants in all appeals are entitled to receive amount.

3. Learned Counsel for the Acquiring Body and the learned AGP oppose the applications. They would submit that exorbitant compensation has been granted.

4. Considering the rival submissions of the parties and the averments of the Civil Applications, I find that Applicants are entitled to receive part of the amount. In identical matter, Claimants were permitted to receive the amount which is placed on record. There is no reason to take any different view. I also propose to follow the same course and action.

5. Applicants are permitted to withdraw 50% of the amount on furnishing undertaking and further 25% of the amount alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court amounts as follows :

- (a) In First Appeal Stamp No.5174/2024 – Amount of Rs.16,99,184/-.
- (b) In First Appeal No.2451/2024 – Amount of Rs.10,30,832/-.
- (c) In First Appeal No.1393/2024 – Amount of Rs.87, 78, 508/-.
- (d) In First Appeal No.2808/2024 – Amount of Rs.4, 25, 565/-.

SHAILESH P. BRAHME
JUDGE