



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

**CIVIL APPLICATION NO. 7003 OF 2025
IN
FIRST APPEAL NO. 1323 OF 2024**

Ramanand Bali Shete
Since deceased through L.Rs.
Ujwala Ramanand Shete and others .. Applicants

Versus

The State of Maharashtra and others .. Respondents

Shri Praveen B. Rakhunde, Advocate for the Applicants.
Shri D. B. Bhange, A.G.P. for the Respondent Nos. 1 and 2.
Shri Mukul S. Kulkarni, Advocate for the Respondent No. 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 11TH JULY, 2025.**

FINAL ORDER :

. Heard both sides.

2. The applicants are seeking disbursement of amount of Rs. 20,38,468/- for the reasons stated in the civil application.

3. Learned counsel Mr. Mukul Kulkarni appearing for the respondent No. 3/acquiring body opposes the application on the ground that compensation has been unreasonably enhanced from the rate of Rs. 35/- per R to Rs. 3,000/- per R. It is further contended that Reference was not within limitation and under these circumstances there is every possibility of succeeding in the

appeal.

4. I have gone through the contents of the application and considering rival submissions of the parties, I am of the considered view that applicants are entitled to receive 75% of the amount deposited with accrued interest on certain condition. The submissions regarding quantum of the compensation and the rate and as to whether Reference was within limitation or not cannot be gone into at this stage. I cannot be oblivious of the fact that the applicants have lost earning source because of acquisition and it is a beneficial legislation.

5. For the reasons recorded above, the civil application is partly allowed. The applicants shall be disbursed with 50% of the amount deposited along with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court and further 25% of the amount deposited with accrued interest on submitting solvent security/surety. Balance amount shall be invested in fixed deposit of any nationalized bank. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/July 25