



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

955 CIVIL APPLICATION NO. 7357 OF 2025
IN FA/1176/2024

Patilba Narayan Waman Died Thr Lrs Babasaheb And Ors
VERSUS
The MKVDC Thr Ex. Engineer, Osmanabad And Anr

WITH

CIVIL APPLICATION NO. 7358 OF 2025
IN FA/1175/2024

Mr.S.E.Shekade, Advocate for applicants
Mr.A.M.Gaikwad, Advocate for respondent no.1
Mr.S.S.Dande, AGP for respondent no.2

CORAM : AJIT B. KADETHANKAR, J.
DATE : SEPTEMBER 09, 2025

ORDER :-

Heard.

2. This is an application seeking permission to withdraw the award amount deposited by the appellant in the First Appeal arising out of the judgment and award dated 18.04.2018, passed by learned District Judge-2, Beed, in LAR No.352 of 2012.

3. Mr.Shekade, learned counsel for the applicants. He submits that stay has been granted for execution of the award impugned in the First Appeal, subject to deposit of 50% payable award amount. Such amount is deposited by the acquiring body, a portion of which has

already been withdrawn by the applicants. He places on record a copy of the order dated 21.07.2025, passed in Civil Application No.7243 of 2025 in FA St No.2911/2021. Placing reliance on the said order, he submits that vide the order dated 21.07.2025, the amount deposited by the acquiring body in this court has been permitted to be withdrawn by the applicants therein. He submits that the present appeal also arises out of the same land acquisition proceedings and the same award. He, therefore, prays that the applicants herein may be permitted to withdraw the remaining amount.

4. Mr.Gaikwad, learned counsel for the acquiring body, fairly concedes and does not disapproves the submissions made by Mr.Shekade, learned counsel.

5. Hence, the following order:-

I) The entire amount deposited by the respondent - Acquiring Body in this matter along with interest accrued thereon be transferred to the Court of the learned Principal District Judge, Beed at Beed, for withdrawal and disbursement.

II) The applicants/claimants or the Special Power of Attorney Holder, as the case may be, are permitted to withdraw the remaining amount of compensation along with interest accrued thereon, on

furnishing usual undertaking to the satisfaction of the Registrar of the Reference Court.

(III) The amount shall be disbursed to the applicants/claimants as per the apportionment mentioned in paragraph 15 of the application.

(IV) Civil Application is accordingly disposed of.

[AJIT B. KADETHANKAR, J.]

KBP