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932-CA-898-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 CIVIL APPLICATION NO. 898 OF 2025
IN FA/1571/2023

Baburao Govardhan Jadhav (died) Thr. Lrs. Rukmin B. Jadhav And Ors

VERSUS

The State Of Maharashtra Thr. The Collector, Osmanabad And Ors.

WITH

CIVIL APPLICATION NO. 14040 OF 2015
IN FA/1571/2023

Mr. Mrunal Andhare h/f Mr. Ajeet B. Kale, Advocate for Applicants.

Smt. Chaitali Chaudhari-Kutti, AGP for Respondent-State.

Mr. Mukul S. Kulkarni, Advocate for Respondent No.3.

CORAM : KISHORE C. SANT, J.

DATE : 10th OCTOBER 2025.

PC :-

CA/898/2025

1. This application is filed by the original claimant, respondent in the first appeal, seeking withdrawal of the amount deposited in the office of this Court.

2. The learned Advocate for the applicant relies upon the order dated 19th June 2024 passed by this Court in Civil Application No.4976/2024

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in First Appeal/1572/2023.

3. Considering above, following order:

ORDER

- (i) Civil Application stands allowed.
- (ii) The applicants are permitted to withdraw 75% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) 25% of the amount be kept in fixed deposit in any nationalized bank till final disposal of the first appeal.
- (iv) The undertaking be kept in the first appeal.
- (v) With this, civil application stands disposed off.

STAY APPLICATION

4. This application is filed for stay to the impugned judgment and award. The acquiring body has already deposited the amount alongwith interest in the office of this Court.

5. Since the amount has already deposited in the office of this Court, there shall be stay to the impugned judgment and award till final

disposal of the first appeal.

6. With this, civil application for stay stands disposed off.

FIRST APPEAL

7. Heard.

8. Admit.

9. Call for record and proceeding.

10. Mr. Andhare waives service of notice for Respondent-claimant.

[KISHORE C. SANT, J.]