



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 CIVIL APPLICATION NO. 7696 OF 2025
IN FA/1850/2024

BHANUDAS RAGHU PATULE DIED THROUGH L RS DEVAIBAI
BHANUDAS PATULE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR
OSMANABAD AT OSMANABAD AND ORS

WITH CIVIL APPLICATION NO. 7691 OF 2025 IN
FA/1846/2024 WITH CIVIL APPLICATION NO. 7695 OF 2025
IN FA/1847/2024 WITH CIVIL APPLICATION NO. 7692 OF
2025 IN FA/1849/2024 WITH CIVIL APPLICATION NO. 7694
OF 2025 IN FA/1848/2024 WITH CIVIL APPLICATION NO. 72
OF 2024 IN FA/1846/2024 WITH CIVIL APPLICATION NO. 81
OF 2024 IN FA/1849/2024 WITH CIVIL APPLICATION NO. 75
OF 2024 IN FA/1851/2024 WITH CIVIL APPLICATION NO. 83
OF 2024 IN FA/1850/2024 WITH CIVIL APPLICATION NO. 86
OF 2024 IN FA/1847/2024

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Advocate for Applicants : Mr. More Abhijit S.
AGP for Respondent/s-State : Mr. D. B. Bhange.
Advocate for Respondent No.2 : Mr. D. R. Jethliya.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 25.07.2025

PER COURT :-

1. Heard both sides.
2. Applicants are praying for disbursement of the amount deposited by respondent/acquiring body in this Court. Learned counsel Mr. More submits that in connected and similarly situated matters, claimants were permitted to

withdraw the amount deposited by the acquiring body on furnishing undertaking. He is praying for same course to be followed in the present appeals also. It is further pointed out that interest has been granted by the Reference Court from the date of award and not from the date of possession.

3. The submissions of the applicants are repelled by learned counsel Mr. Jethliya by contending that in the present appeals entire amount in each matter has been deposited by acquiring body whereas in the matters upon which reliance is placed entire amount under award was not deposited. The acquiring body has every hope of success in the appeals.

4. I have considered rival submissions of the parties. As entire amount has been deposited by the acquiring body in the first appeals, withdrawal of those amounts cannot be permitted. However, I find that ends of justice would be met in permitting the applicants to receive 50% amount on furnishing undertaking and further 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

5. Civil applications for withdrawal of amount are partly allowed by permitting the applicants to receive 50% amount

on furnishing undertaking and further 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

6. Balance amount shall be invested in Nationalized Bank.

In First Appeals

7. **Admit.**

8. Learned counsel Mr. More waives service of notice for respondents/claimants. Learned AGP waives service of notice for respondents/State Authorities.

9. Call for Record and Proceedings from the concerned Court.

Civil Applications for Stay

10. As the entire amount under award is deposited by the acquiring body, ad-interim relief granted earlier shall stand confirmed.

11. Civil Applications for stay are disposed of.

(SHAILESH P. BRAHME, J.)

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