



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

94 CIVIL APPLICATION NO. 13200 OF 2025
IN FA/2450/2024

SMT KUMUDUNI VASANTRAO PAWAR DIED RATNAMALA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR

WITH
CIVIL APPLICATION NO. 9591 OF 2024
IN FA/2450/2024

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION NO.1
AURANGABAD

VERSUS
SMT KUMUDUNI VASANTRAO PAWAR DIED THROUGH LRS VASANTRAO
DATTATRAYA PAWAR AND ORS

...

Mr. P. M. Janapurkar, Advocate for Claimants
Mrs. M. N. Ghanekar, AGP for Respondent-State
Mr. A. D. Gadekar, Advocate for Acquiring Body

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 09.12.2025

PER COURT :-

CIVIL APPLICATION NO. 13200 OF 2025

. Heard both sides.

2. Applicants seek to withdraw amount of Rs.3,44,11,749/-
deposited by the respondent-acquiring body.

3. Learned counsel for the acquiring body submits that the amount
is huge and the enhancement granted by the Reference Court is vulnerable,
hence, strict conditions be imposed.

4. Considering overall circumstances, I find it appropriate to release 75% of the deposited amount to the applicants on certain conditions.

5. Civil Application is partly allowed permitting the applicants to receive 50% of the deposited amount with accrued interest on furnishing undertaking to the satisfaction of the learned Registrar (Judicial) of this Court and 25% of the deposited amount with accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

6. Balance amount shall be invested in a nationalized bank.

FIRST APPEAL 2450 OF 2024

. **Admit.** Learned AGP waives service of notice for respondent/State. Mr. P. M. Janapurkar, learned counsel waives service of notice for claimants.

2. Call for Record and Proceeding. Print is dispensed with.

CIVIL APPLICATION NO. 9591 OF 2024

. As the entire amount with accrued interest is deposited by the acquiring body, stay granted earlier shall stand confirmed.

2. Civil Application is allowed.

(SHAILESH P. BRAHME, J.)