



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

**CIVIL APPLICATION NO. 6904 OF 2025
IN FA/1686/2025**

Manik Sidha Alias Siddhapa Alias Sidram Chaugule And
Others

VERSUS

The State Of Maharashtra Through Collector And Others

...

Mr. S. N. Patil, Advocate for Applicants

Mr. S. V. Hange, AGP for Respondents-State

Mr. C. T. Jadhav, Advocate for Respondent no.3

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CORAM : AJIT B. KADETHANKAR.

DATED : 16TH SEPTEMBER, 2025

ORDER :-

. This Civil Application is moved by the claimants seeking withdrawal of the amount deposited by the appellant/ Acquiring Body in this Court.

2. Mr. S. N. Patil, learned Advocate for the applicant lays his hands over an order dated 01.08.2025, passed by Co-ordinate Bench of this Court in Civil Application No.4952 of 2025 in First Appeal St. No.5432 of 2021. Mr. Patil submits that the First Appeal St. No.5432 of 2021 arises out of the same land acquisition proceedings, land acquisition notification and award also. He further submits that since all

the issues, those are under challenge in the First Appeal St. No.5432 of 2021 are same in the present matter, he may be permitted to withdraw the award amount deposited by the Acquiring Body in this Court in this matter on the principle of parity.

3. Mr. C. T. Jadhav, learned Advocate for the Acquiring Body, however, objects to the disbursement of full amount deposited by the Acquiring Body on the ground that the facts of the present case are a bit different in the First Appeal No.5432 of 2021 and such connected appeals, rather than raising additional issues. Mr. Jadhav further submits that the objection is as regards to the interest applied by the learned Reference Court. He would further fairly submit that the withdrawal could be permitted, however, recording his objection.

4. In view of the peculiar facts and objection raised by the Acquiring body in this case, I pass following order:

ORDER

- a. Applicants are permitted to withdraw 85 percent of the awarded amount on furnishing usual undertaking and 15 percent of balance

amount on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

b. In above terms, Civil Application stands disposed of.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2025