



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

**9 CIVIL APPLICATION NO. 7686 OF 2025
IN FAST/27112/2019**

**MOHARBAI BHAGWAT JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

**WITH CIVIL APPLICATION NO. 11889 OF 2019
IN FAST/27112/2019**

...
Advocate for Applicant : Mr. Ingale Vivekanand V.
AGP for Respondent/s-State : Mr. N. D. Raje.
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**CORAM : SHAILESH P. BRAHME, J.
DATE : 07.10.2025**

PER COURT :-

1. Heard both sides.
2. Applicant seeks to withdraw the amount deposited by respondent/acquiring body to the extent of Rs.22,87,884/- for the present claim. My attention is adverted to the order dated 07.08.2025 passed in similarly situated appeal permitting the claimant to receive 50% of the amount on undertaking and 25% on furnishing solvent surety/security.
3. Civil application for withdrawal is allowed partly permitting the applicants to receive 50% on furnishing undertaking to the satisfaction of the Registrar (Judicial) and

further 25% on furnishing solvent surety/security. Civil application is disposed of accordingly.

4. Balance amount shall be invested in nationalized bank.

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5. Applicant/acquiring body prays to condone delay of 1953 days in filing appeal.

6. The averments of the application have not been traversed. I find no malafides on the part of the acquiring body in filing appeal belatedly. The claimant is permitted to receive part of the amount deposited by the acquiring body. It is desirable to condone the delay.

7. Civil application is allowed in terms of prayer clause "B".

First Appeal

8. **Admit.**

9. Learned counsel Mr. Ingale waives service of notice for respondent/claimant.

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

11. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

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vmk/-