



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
957 CIVIL APPLICATION NO. 7174 OF 2025
IN FA/1686/2024
BHAVSING S/O MAHAJAN GHUNAWAT
VERSUS
THE EXECUTIVE ENGINEER, JALNA
MINOR IRRIGATION DIVISION, JALNA AND OTHERS**

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Advocate for the Applicant : Mr.Vishnu Madan Patil

AGP for State : Mr. B.A.Shinde

Advocate for Respondent : Mr. Akash D.Gade

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CORAM : SHAILESH P. BRAHME, J.

DATE : 16th JULY 2025

PER COURT :

. This application is for disbursement of amount of Rs.55,73,839/- deposited by the Respondent No.1/Acquiring body.

2. Learned counsel Mr.Patil tenders on record order dated 03.07.2025 passed in similarly situated matter. He would urge this Court to follow the same course and permit the applicants to receive 75% of the amount.

3. Learned counsel for the acquiring body vehemently opposes the application. It is submitted that the reference court has granted exorbitant compensation and it would be unsafe to release the amount in favour of the applicants.

4. By my earlier order dated 03.07.2025, passed in the matter arising out of the same project and acquisition proceedings, I

preferred to direct the claimants to receive 75% of the amount. I propose to follow the same course. Hence, I pass following order :

ORDER

- i) Application is partly allowed.
- (ii) The applicants are permitted to withdraw 50% of compensation amount deposited by respondent/ acquiring body along with accrued interest on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.
- (iii) Additional 25% amount is allowed to withdrawn along with accrued interest furnishing solvent surety/security be on to the satisfaction of the Registrar (Judicial) of this Court.
- (iv) Remaining amount be kept in fixed deposit in any nationalized bank till further orders.
- (v) Civil Application stands disposed of.

[SHAILESH P BRAHME, J.]