



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

**77 CIVIL APPLICATION NO. 8837 OF 2025
IN FA/2063/2024**

**PARUTAPPA GURULING HARLAYA
VERSUS
EXECUTIVE ENGINEER DEPARTMENT OF KRISHNA KHORE
DEVELOPMENT CORPORATION AND ORS**

AND

**82 CIVIL APPLICATION NO. 11802 OF 2025
IN FA/2057/2024**

**JAYANAND SHANTAPA KALSHETI AND ORS
VERSUS
EXECUTIVE ENGINEER DEPARTMENT OF KRISHNA KHORE**

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Advocate for Applicants : Ms. Kulthe Sudha Subhashrao.
AGPs for Respondent/s-State : Mrs. M. N. Ghanekar.
Advocate for Respondent No.1 : Mr. S. G. Bhalerao.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 11.11.2025**

PER COURT :-

1. Heard both sides.
2. In aggregate respondent/acquiring body has deposited Rs.1,35,28,814/-. In First Appeal No.2063 of 2024 the deposits are to the extent of 1,25,15,663/- and in First Appeal No.2057 of 2024, it is to the tune of Rs.10,13,151/-. The amounts are sought to be withdrawn mainly citing the precarious financial condition and age of the claimants.

3. The applications are contested by learned counsel Mr. Bhalerao on the ground that the enhancement given by the reference court is exorbitant from Rs.283/- per R. to Rs.4,400/- per R. It is further submitted that the observations that the land acquired are irrigated lands is unfounded.

4. Considering the rival submissions of the parties, it is not possible to countenance that applicants/claimants would be entitled to receive entire amount deposited by the acquiring body. The ends of the justice would be met in permitting the claimants to receive 50% of the amount on furnishing undertaking.

5. Civil applications are partly allowed permitting the applicants to receive 50% of the amount with accrued interest on furnishing undertaking.

6. Balance amount shall be invested in nationalized bank.

First Appeals

7. **Admit.**

8. Learned AGP waives service of notice for respondents-State. Learned counsel waives service of notice for respondent No.1.

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

10. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

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