



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 CIVIL APPLICATION NO. 8251 OF 2025
IN FA/1266/2024

NAGNATH LAXMAN SHINGE DIED THROUGH LRS CHATURABAI NAGNTH
SHINGE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE DISTRICT COLLECTOR
OSMANABAD AND ORS

...

Advocate for Applicant : Mr. Praveen Baliram Rakhunde
AGP for Respondent nos. 1 and 2 : Mr. D.B. Bhange

...

CORAM : SHAILESH P BRAHME, J.

DATE : 05.08.2025

PER COURT :

Heard both sides.

2. The applicants are praying for withdrawal of amount of Rs. 10,88,626/- with accrued interest deposited by the respondent-Acquiring Body. It is submitted that in pursuance of the order dated 29.04.2024, 75% of the total amount of compensation is deposited by the respondent-Acquiring Body.

3. Learned advocate Mr. Shelke appearing for the respondent-Acquiring Body submits that the enhancement is exorbitant and sale instance of post notification was taken into consideration for awarding the compensation. The Acquiring Body has every hope of success in the first appeal.

4. I have gone through the impugned judgment and I have considered the rival submissions of the parties. Though sale instance of 1994 is taken into account, the sale transaction was in pursuance of the agreement executed between the parties in the year 1988. The acquiring body has

deposited only 75% of the amount. It is in the fitness of things to permit the applicant to receive the amount deposited with accrued interest on furnishing undertaking.

4. The Civil Application is allowed partly by permitting the applicants to withdraw the amount with accrued interest by furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(SHAILESH P. BRAHME, J.)

mkd/-