



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 CIVIL APPLICATION NO. 7709 OF 2025
IN FAST/6864/2024

HARSINGH LAKSHMAN JONWAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
JALNA AND ORS.

WITH CIVIL APPLICATION NO. 5839 OF 2024 IN
FAST/6864/2024 WITH CIVIL APPLICATION NO. 5840 OF
2024 IN FAST/6864/2024

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Advocate for Applicant : Mr. Pingale Durgesh Madhukar.
AGP for Respondent/s-State : Mr. B. A. Shinde.
Advocate for Respondent/Acquiring Body : Ms. Vanita H.
Sangole h/f Ms. Suvarna M. Zaware.
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CORAM : SHAILESH P. BRAHME, J.
DATE : 25.07.2025

PER COURT :-

1. Heard the respective parties.
2. For the reasons stated in the application, delay of 636 days stands condoned. Civil application for delay is allowed.

Civil Application for Withdrawal.

3. Applicant is seeking withdrawal of amount of Rs.11,11,867/- for the reasons stated in the applications.

4. My attention is adverted to the order dated 15.07.2025 passed in a group of matters permitting the applicants to receive 75% of the amount with accrued interest on furnishing usual undertaking and further remaining amount of 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

5. Learned AGP and Ms. Sangole holding for Ms. Zaware would oppose the contentions and the application for withdrawal.

6. I have already permitted similarly situated claimants to receive the amount vide common order dated 15.07.2025 in First Appeal No.1630 of 2025 and the connected matters. I propose to adopt the same course and action. Applicants are entitled to receive the amount on the ground of parity.

7. Civil application for withdrawal of amount is partly allowed by permitting the applicants to receive 75% of the amount with accrued interest on furnishing usual undertaking and further remaining amount of 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

In First Appeal

8. Admit.

9. Learned counsel Mr. Pingale waives service of notice for respondent.

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

Civil Application for Stay

11. As the entire amount under award is deposited by the acquiring body, ad-interim relief granted earlier shall stand confirmed.

12. Civil Application for stay is disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-