



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

**CIVIL APPLICATION NO. 9818 OF 2025
IN FAST/26370/2023**

Radhakisan Ramrao Padol .. Applicant

Versus

The State Of Maharashtra
Through The Collector And Others .. Respondents

Mr. Ajeet B. Kale, Advocate for the Applicant.
Smt. R. R. Tandale, AGP for Respondent Nos. 1 & 3.
Mr. M. C. Swami, Advocate for Respondent No. 2.

WITH

**CIVIL APPLICATION NO. 13178 OF 2023
IN FAST/26370/2023**

The Ex. Engineer, Minor Irrigation Div. Jalna
Through G.M.I.D.C. Aurangabad .. Applicant

Versus

Radhakisan Ramrao Padol And Others .. Respondents

Mr. M. C. Swami, Advocate for the Applicant.
Mr. Ajeet B. Kale, Advocate for Respondent No. 1.
Smt. R. R. Tandale, AGP for Respondents/State.

WITH

**CIVIL APPLICATION NO. 13179 OF 2023
IN FAST/26370/2023**

The Ex. Engineer, Minor Irrigation Div. Jalna
Through G.M.I.D.C. Aurangabad .. Applicant

Versus

Radhakisan Ramrao Padol And Others

.. Respondents

Mr. M. C. Swami, Advocate for the Applicant.

Mr. Ajeet B. Kale, Advocate for Respondent No. 1.

Smt. R. R. Tandale, AGP for Respondents/State.

CORAM : KISHORE C. SANT, J.

DATE : 09th OCTOBER, 2025.

PER COURT :-

CIVIL APPLICATION NO. 9818 OF 2025 :

1. Heard learned advocates for the parties.
2. This application is for withdrawal of the amount deposited by the appellant – acquiring body in the office of this Court along with interest.
3. The learned advocate for the applicant relies upon the orders passed in Civil Application No. 6290/2024 dated 04.07.2024, Civil Application No. 9434/2019 with other connected matters dated 11.10.2019 and Civil Application No. 10522/2024 dated 03.10.2024.
4. The learned advocate Mr. Swami for respondent No. 2 vehemently opposes the application.

5. However, considering that this Court has already passed orders in similar matters arising out of the same acquisition proceedings, following order :

ORDER

(I) The civil application is partly allowed.

(II) The applicants are permitted to withdraw 75% of the deposited amount alongwith accrued interest on furnishing usual undertaking. Remaining 25% of the amount is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(III) With this, the civil application stands disposed of.

CIVIL APPLICATION NO. 13178 OF 2023 :

1. This application is for condonation of delay of 323 days caused in filing the first appeal.

2. For the reasons stated in the application, delay stands condoned. The civil application is allowed and disposed of accordingly.

CIVIL APPLICATION NO. 13179 OF 2023 :

1. Since the amount is already deposited in the office of this Court pursuant to impugned judgment and award, there shall be stay to the execution of the impugned judgment and award.
2. The civil application for stay stands disposed of.

(KISHORE C. SANT, J.)

PS.B.