



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

**CIVIL APPLICATION NO. 9007 OF 2025
IN
FIRST APPEAL STAMP NO. 27407 OF 2024**

Manohar Santram Jadhav
since deceased through his L.Rs.
Nandkumar Manohar Jadhav .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Manoj U. Shelke, Advocate for the Applicant.
Shri B. A. Shinde, Advocate for the Respondent Nos. 1 and 2.
Shri G. S. Khaire, Advocate h/f Shri S. S. Dande, Advocate for
the Respondent No. 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 21ST AUGUST, 2025.**

FINAL ORDER :

. Applicant is claiming Rs. 40,39,041/- deposited by the respondent No. 3 – acquiring body. It is contended that acquiring body caused inordinate delay in preferring appeal. Impugned judgment was passed on 30.04.2016 and till this date the applicant is waiting for the amount of compensation.

2. Learned counsel for the respondent No. 3 – acquiring body opposes the application. It is submitted that the compensation awarded by the Reference Court is exorbitant.

3. My attention is adverted to the impugned judgment which shows that relying on the rate of Rs. 3,300/- per R awarded in L.A.R. No. 450 of 2008, the rate has been fixed in the present matter. There is inordinate delay in preferring appeal, though by independent order I have condoned the same. Ends of justice would be met in permitting the applicant to receive 75% of the amount deposited with accrued on furnishing undertaking and balance 25% of the amount deposited with accrued interest on furnishing solvent surety/security.

4. The civil application is partly allowed. The applicants are permitted to receive 75% of the amount deposited with accrued interest on submitting undertaking and balance 25% of the amount deposited with accrued interest on submitting solvent security/surety to the satisfaction of the Registrar (Judicial) of this Court. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Aug. 25