



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

**919 CIVIL APPLICATION NO. 10582 OF 2023  
IN FA/1897/2019**

Dnyanoba Bhimrao Pawar

....Applicant

**VERSUS**

The State Of Maharashtra

Through The Collector, Osmanabad And Anr.

.....Respondents

....

Ms. S. A. Kale h/f Mr. Kale Ajeet B., Advocate for Applicant

Mr. D. J. Patil, AGP for Respondents – State

....

**WITH CIVIL APPLICATION NO. 14574 OF 2018  
IN FA/1897/2019**

The State of Maharashtra and Anr.

.....Applicants

**VERSUS**

Dnyanoba Bhimrao Pawar

.....Respondent

....

Mr. D. J. Patil, AGP for the Applicants - State

Mr. V. V. Ingle, Advocate for Respondent

....

**CORAM : NEERAJ P. DHOTE, J.**

**DATE : 23.04.2025**

**PER COURT :**

**[I] ORDER IN CIVIL APPLICATION NO. 14574/2018 :-**

1. As the learned Advocate Mr. A. B. Kale appears for the Respondent – Original Claimant, the appearance of learned Advocate Mr. Ingle for the Respondent – Original Claimant is discharged.

**[II] ORDER IN CIVIL APPLICATION NO.10582/2023 :**

1. This is an Application by the Original Claimant to withdraw the remaining 25% amount deposited by the State i.e. Acquiring Body, along with interest accrued thereon.

2. The Appeal is preferred by the State against the enhancement of compensation granted by the learned Reference Court in Land Acquisition Proceedings. The Appellant – State has deposited 100% amount along with interest accrued thereon in this Court.

3. Heard the learned Advocate for the Applicant. She submits that, the Division Bench, in Civil Application No.10623/2023 in First Appeal No.1898/2019 vide order dated 03/04/2025, permitted the Applicant / Claimant therein to withdraw the balance amount of compensation. She further submits that, similar orders be passed in this Application.

4. The Application is opposed by the learned AGP for the Respondents – State. He submits that, the hike of enhancement in the compensation awarded by the learned Reference Court is 33% of the amount awarded by the Special Land Acquisition Officer [SLAO]. He submits that, the Applicant has already withdrawn 75% amount and, therefore, the Application be rejected.

5. After having heard both the sides and considering the above submissions and particularly that, the hike of enhancement is 33% from the amount awarded by the SLAO, the interest of State can be protected, if the Applicant is permitted to withdraw the remaining 25% amount along with accrued interest, subject to furnishing solvent surety / security / bank guarantee to the satisfaction of the Registrar [Judicial] of this Court. Hence, the following order :

### **ORDER**

[a] The Applicant is permitted to withdraw the remaining amount along with interest accrued thereon, subject to furnishing solvent surety / security / bank guarantee to the satisfaction of the Registrar [Judicial] of this Court.

[b] Civil Application stands disposed off accordingly.

6. This Appeal be listed along with First Appeal No.1896/2019.

**[NEERAJ P. DHOTE, J.]**

Sameer/April-2025