



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

**CIVIL APPLICATION NO. 9738 OF 2024
IN FA/292/2025**

Mohan Dattatraya Joshi (Died)
Through L.Rs. Usha Mohan Joshi And Others .. Applicants

Versus

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

Ms. Ashvini Mehetre, Advocate h/f Mr. A. B. Kale, Advocate for the
Applicants.

Smt. R. R. Tandale, AGP for Respondent Nos. 1 & 2.

Mr. A. H. Koralkar, Advocate for Respondent No. 3.

**WITH
CIVIL APPLICATION NO. 925 OF 2022
IN FA/292/2025**

The Executive Engineer, Irri. Pro. Stern.
Div. Omerga Through Medium Pro. Div.
And others .. Applicants

Versus

Mohan Dattatray Joshi .. Respondent

Mr. A. H. Koralkar, Advocate for the Applicants.

Smt. R. R. Tandale, AGP for State

Ms. Ashvini Mehetre, Advocate h/f Mr. A. B. Kale, Advocate for
Respondent.

**WITH
CIVIL APPLICATION NO. 927 OF 2022
IN FA/293/2025**

The Executive Engineer, Irri. Pro. Stern.
Div. Omerga Through Medium Pro. Div.
And others

.. Applicants

Versus

Karbasappa Sharnappa Birajdar

.. Respondent

Mr. A. H. Koralkar, Advocate for the Applicants.
Smt. R. R. Tandale, AGP for State
Ms. Ashvini Mehetre, Advocate h/f Mr. A. B. Kale, Advocate for
Respondent.

**WITH
CIVIL APPLICATION NO. 929 OF 2022
IN FA/295/2025**

The Executive Engineer, Irri. Pro. Stern.
Div. Omerga Through Medium Pro. Div.
And others

.. Applicants

Versus

Narayan Raghunath Joshi (Died)
L.Rs. Krushna Narayan Joshi

.. Respondent

Mr. A. H. Koralkar, Advocate for the Applicants.
Smt. R. R. Tandale, AGP for State
Ms. Ashvini Mehetre, Advocate h/f Mr. A. B. Kale, Advocate for
Respondent.

**CORAM : KISHORE C. SANT, J.
DATE : 01st OCTOBER, 2025.**

PER COURT :-

CIVIL APPLICATION NO. 9738 OF 2024 :

1. This application is filed seeking permission to withdraw the

amount deposited by the respondent – acquiring body in the office of this Court pursuant to impugned judgment and award passed by the learned Reference Court.

2. The learned advocate for the applicant relies upon the order passed in civil application arising out of the same land acquisition proceeding. This Court by order dated 18.09.2025 in Civil Application No. 8190/2025 in First Appeal No. 294/2025 and by order dated 02.02.2024 in Civil Application No. 12437/2023 in First Appeal (Stamp) No. 23601/2020 has allowed the applicants therein to withdraw 75% of the amount deposited in the Court. Hence, following order :

ORDER

- (I) The application is partly allowed.
- (II) The applicants are allowed to withdraw 75% of the amount deposited in the office of this Court along with accrued interest on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- (III) With this, the civil application stands disposed of.

CIVIL APPLICATION NO. 925 OF 2022 :

CIVIL APPLICATION NO. 927 OF 2022 :

CIVIL APPLICATION NO. 929 OF 2022 :

1. Since the applicants have already deposited the amount in the office of this Court pursuant to impugned judgment and award, there shall be stay to the impugned judgment and award till disposal of the appeal.

2. The civil applications stand disposed of.

(KISHORE C. SANT, J.)

P.S.B.