



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 CIVIL APPLICATION NO. 9464 OF 2025
IN FA/1135/2022
WITH CIVIL APPLICATION NO. 9467 OF 2025 IN FA/1133/2022
WITH CIVIL APPLICATION NO. 9465 OF 2025 IN FA/1135/2022
WITH CIVIL APPLICATION NO. 9466 OF 2025 IN FA/1133/2022

TUKARAM NAMDEO THOMBARE DEID THROUGH LRS
LOCHANABAI NAMDEV THOMBARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR AT
OSMANABAD AND OTHERS

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Advocate for Applicants : Mr. Laxmikant C. Patil
AGP for Respondent Nos. 1 and 2-State : Mr. V. S. Badakh
Advocate for Respondent No.3 : Mr. R. K. Ingole

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CORAM : ABHAY S. WAGHWASE, J.
DATED : 12 SEPTEMBER 2025

PER COURT :-

CIVIL APPLICATION NO. 9464 OF 2025
CIVIL APPLICATION NO. 9467 OF 2025

1. These applications are filed by the legal representatives of respondents-original claimants for bringing them on record of the respective First Appeals. There is delay in filing the applications.
2. For the reasons mentioned in the applications, both applications are allowed in terms of prayer clauses 'A' and 'B' and disposed off accordingly.
3. Necessary amendment be carried out within two weeks.

CIVIL APPLICATION NO. 9465 OF 2025
CIVIL APPLICATION NO. 9466 OF 2025

1. Heard learned counsel for the parties.
2. Learned counsel for the applicants submits that, in the present case, there were houses and fruit trees in the field. That, the respondents have deposited amount calculating interest from the date of award though Reference Court allowed the interest from the date of possession. Learned counsel points out that in similar matters, i.e. Civil Application Nos. 6470 of 2025 in First Appeal No. 1131 of 2022 along with connected applications, this Court by order dated 03.07.2025 has allowed the applicants therein to withdraw 75% of the total amount of compensation on usual undertaking. He also placed on record copy of aforesaid order dated 03.07.2025 and prays to pass similar order in the present applications.
3. Learned counsel for the acquiring body also submits that in similar matters, this court by order dated 03.07.2025 has allowed withdrawal of 75% amount.
4. In view of the above, following order is passed :

ORDER

- I. The applications are partly allowed.
- II. The applicants are allowed to withdraw 75% of the total amount of compensation alongwith interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- III. The applications are accordingly disposed off.

[ABHAY S. WAGHWASE, J.]

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