



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

**CIVIL APPLICATION NO. 10152 OF 2025
IN FAST/22816/2021**

SADHU MESA MASKE, DIED THR.LRS. KADUBAI AND ORS.

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

**WITH CIVIL APPLICATION NO. 11403 OF 2025
IN FAST/22821/2021**

BHAGWAN BABU JADHAV, DIED, THR. LRS. RUKMINBAI AND ORS

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicants : Mr. Laxmikant C. Patil

AGP for Respondent nos.1 & 2 : Mr.S.P. Joshi

Advocate for Respondent no.3: Mr.Arjun R.Lukhe h/f. Mr.A.S. Shelke

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 13 OCTOBER, 2025

ORDER :-

1. Heard learned counsel appearing for the respective parties.
2. The applicants are seeking permission to withdraw the amount deposited by the respondent/acquiring body in pursuance to the award passed by the Joint Civil Judge, Senior Division, Osmanabad.
3. Learned counsel for the applicants submits that in connected matters i.e. Civil Application Nos.4147 of 2025 with connected matter, this Court, vide order dated 17-04-2025, permitted the

applicants therein to withdraw 50% of the deposited amount by the acquiring body alongwith interest accrued thereon.

4. Learned counsel for the respondent opposes for the withdrawal.

5. In view of the above submission and for the reasons stated in the applications, applications deserve to be partly allowed. Accordingly, following order is passed :

ORDER

(I) The applicants are permitted to withdraw 50% of the compensation amount as deposited by the acquiring body along with interest accrued thereon on furnishing usual undertaking to satisfaction of the Registrar (Judicial) of this Court that in case adverse order is passed in the appeal, they shall redeposit amount within a period of six weeks.

(II) The rest of the amount be kept in fixed deposit till further orders with renewal clause.

(III) Applications stand disposed of accordingly.

(ABHAY S. WAGHWASE)
JUDGE