



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

58 CIVIL APPLICATION NO. 11774 OF 2024
IN FA/1864/2024

CHANDRAHAS PANDHARINATH PATIL

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH THE COLLECTOR, LATUR AND ORS

...

Advocate for the Applicant : Mr.H.B.Nandgawale h/f.Mr.Sakolkar Vijay G.

AGP for Respondent/State : Mr.D.B.Bhange

Advocate for Respondent No.3 :Mr.M.C.Swami

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CORAM : SHAILESH P BRAHME, J.

DATE : 25.08.2025

PER COURT :

. Heard both sides.

2. Present application is for withdrawal of amount of Rs.32,85,520/-deposited by the Respondent/acquiring body.

3. It is submitted that in similarly circumstanced matters, the claimants were permitted to receive 80% of the amount with accrued interest on furnishing undertaking. Learned counsel for the applicants has pressed on record common order dated 10.01.2025 passed in those matters.

4. Learned counsel Mr.Swami vehemently opposes the application on the ground that no specific sale instances upon which reliance were placed before the reference court and proved.

4. I do not find any impediment in permitting the applicants to receive the amount deposited by the Respondent/Acquiring body. I propose to follow the same course.

5.

6. The contentious issues can be dealt with at the time of final hearing. I am therefore not permitting the applicants to receive entire amount.

7. Civil application is partly allowed permitting the applicants to disburse 80% of the amount with accrued interest deposited by the Respondent/acquiring body on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

6. Balance amount shall be invested in nationalized bank.

[SHAILESH P BRAHME, J.]

vsj..