



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

913 CIVIL APPLICATION NO. 539 OF 2025
IN FA/3918/2022

HARIDAS NARAYAN NAIKNAWARE (DIED) THR LRS LIMBABAI AND ANR
VERSUS
THE STATE OF MAHARASHTRA,
THR THE COLLECTOR, OSMANABAD AND ANR

...
Advocate for Applicant : Ms. Sakshi Kale, h/f Mr. Ajeet B. Kale.
AGP for Respondent / State : Mr. R. D. Raut.
...

AND
CIVIL APPLICATION NO. 6005 OF 2020
IN FA/3918/2022

THE EX. ENGINEER, OSMANABAD MINOR IRRIGATION DIVISION,
OSMANABAD AND ANR
VERSUS
HARIDAS NARAYAN NAIKNAWARE (DIED) THR LRS LIMBABAI AND ANR

AND
CIVIL APPLICATION NO. 11035 OF 2023
IN FA/3918/2022

HARIDAS NARAYAN NAIKNAWARE (DIED) THR LRS LIMBABAI AND ANR
VERSUS
THE EX. ENGINEER, OSMANABAD MINOR IRRIGATION DIVISION,
OSMANABAD AND ANR

...
Advocate for Applicant : Mr. Ramesh Vitthal Naiknavare.
AGP for Respondent / State : Mr. R. D. Raut.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 15th January, 2025.

P.C.:

. Heard the learned counsel for the parties.

2 In Civil Application No.11035 of 2023, Mr. Ramesh Vitthal Naiknavare, learned counsel for the applicants, on instructions seeks leave to withdraw the application as Mr. Ajeet Kale, learned counsel has filed the application for withdrawal of the amount on behalf of the claimants.

3 Leave granted. Civil Application No.11035 of 2023 stand disposed of as not pressed.

4 Civil Application No.539 of 2025 is filed for withdrawal of the amount deposited by the appellant in this Court.

5 Ms. Sakshi Kale, learned counsel for the applicants/claimants placed reliance on the order dated 20th December, 2023 passed by this Court in Civil Application No.11149 of 2023. She submits that the said proceedings are arising out of the same acquisition proceedings.

6 The application is opposed by the learned counsel for appellant. However, considering that this Court has already passed order in similar matters arising out of same acquisition proceedings, the following order is passed:-

ORDER

- (I) Applicants shall withdraw 50% amount with accrued interest thereon on executing usual undertaking and 25% amount with accrued interest thereon shall be allowed to

be withdrawn on furnishing solvent surety/securities to the satisfaction of the Registrar (Judicial) of this Court.

(II) The remaining 25% of the amount with accrued interest thereon be deposited in FDR, in any nationalized bank for a fixed period as the Registrar (Judicial) deems fit.

(III) Civil Application No.539 of 2025 is accordingly disposed of.

[SANJAY A. DESHMUKH, J.]

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