



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

**61 CIVIL APPLICATION NO. 9532 OF 2025
IN FA/105/2024**

RAMDAS BABU KOLEKAR DIED THROUGH HIS LEGAL HEIRS GAYABAI
RAMDAS KOLEKAR AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR OSMANABAD AT
OSMANABAD AND ORS

WITH

**CIVIL APPLICATION NO. 14822 OF 2023
IN FA/105/2024**

THE EXECUTIVE ENGINEER, SEENA KOLEGAON MEDIUM PROJECT,
PARANDA, OSMANABAD

VERSUS

RAMDAS BABU KOLEKAR AND ANR

Mr. A.S. More, Advocate for the claimants.

Mr. R.B. Dhaware, AGP for the State.

Mr. Mukul Kulkarni, Advocate for the Acquiring Body.

CORAM : KISHORE C. SANT, J.

DATE : 13.10.2025

PC :-

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

01. Heard learned Advocates for the parties. This application is for withdrawal of the amount deposited by the appellant-Acquiring Body in this Court. The Acquiring Body has deposited 75% of the amount, as awarded by the learned Reference Court. Learned Advocate for the applicant relies upon an order dated 03.05.2023 passed in CA No. 3078 of 2023, arising out of the same acquisition proceeding. Considering the above, following order :-

- i) The applicants are permitted to withdraw 50% of the total amount awarded by the Reference Court along with accrued interest on furnishing usual undertaking before the learned Registrar (Judicial) of this Court.
- ii) Remaining amount shall be invested in fixed deposit of any nationalized bank, to be renewed from time to time, till disposal of the appeal.
- iii) The Civil Application is accordingly allowed and is disposed off.

CIVIL APPLICATION FOR STAY

01. Since 75% of the amount as per impugned judgment and award is already deposited in the office of this Court, there shall be stay in terms of prayer clause (A).

02. This Civil Application is accordingly allowed and is disposed off.

FIRST APPEAL

01. Heard.

02. Admit.

03. Learned AGP waives service of notice for respondent-State. Learned Advocate Mr. A.S. More waives service of notice for the respondents-claimants.

[KISHORE C. SANT, J.]