



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

961 CIVIL APPLICATION NO. 8568 OF 2025  
IN FA/2042/2025

MARUTI TUKARAM SALGAWE DIED THROUGH LRS  
SUREKHA RAJENDRA RANKHAMB

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH CIVIL APPLICATION NO. 11534 OF 2024  
IN FA/2042/2025

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Advocate for Applicant : Mr. S. S. Patunkar h/f J. P. Legal  
Associates.

AGP for Respondents-State : Mr. D. B. Bhange.

Advocate for Respondent No.3 : Mr. R.A. Tambe (Through V. C.).

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CORAM : SHAILESH P. BRAHME, J.

DATE : 26.08.2025

PER COURT :-

1. Heard both sides.
2. The respondent/acquiring body has deposited 75% of the compensation in pursuance of the order passed by this Court which comes to Rs.63,42,852/-. The applicants are seeking withdrawal of the same.
3. Learned counsel for the acquiring body would oppose the application. It is submitted that exorbitant compensation was granted by the Reference Court from Rs.610/- per R. to

Rs.8,000/- per R. It is further submitted that the valuation report of structure and trees are vulnerable.

4. I have considered rival submissions of the parties. I have gone through the impugned judgment. The acquiring body has deposited 75% of the compensation and it can be said that it's interest is protected by withholding 30%. In that view of the matter, I deem it appropriate to permit the claimants to receive the amount deposited in this Court on certain conditions.

5. Civil application for withdrawal of amount is partly allowed permitting the applicants to receive 75% on furnishing undertaking to the satisfaction of the Registrar (Judicial) and balance 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

### **In First Appeal**

6. **Admit.**

7. Learned AGP waives service of notice for respondents/State Authorities. Learned counsel Mr. Patunkar holding for J. P. Legal Associates waives service of notice for respective respondents.

8. Call for Record and Proceedings from the concerned Court if not called.

**Civil Application for Stay**

9. As amount is deposited as per the order of this Court, ad-interim relief shall stand confirmed.

10. Civil application for stay is disposed of.

**(SHAILESH P. BRAHME, J.)**

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vmk/-