



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 CIVIL APPLICATION NO. 9859 OF 2025
IN FA/334/2025

GORAKH NAMDEO JADHAV AND ANR
VERSUS
THE EXECUTIVE ENGINEER MEDIUM PROJECT OSMANABAD AND
ORS

WITH
CIVIL APPLICATION NO. 10266 OF 2024
IN FA/331/2025

THE EXECUTIVE ENGINEER OSMANABAD MEDIUM PROJECT
DIVISION OSMANABAD
VERSUS
ROHIDAS BABA PAWAR AND ORS

WITH
CIVIL APPLICATION NO. 10272 OF 2024
IN FA/334/2025

THE EXECUTIVE ENGINEER OSMANABAD MEDIUM PROJECT
DIVISION OSMANABAD
VERSUS
GORAKH NAMDEO JADHAV AND ORS

WITH
CIVIL APPLICATION NO. 10268 OF 2024
IN FA/332/2025

THE EXECUTIVE ENGINEER OSMANABAD MEDIUM PROJECT
DIVISION OSMANABAD
VERSUS
BABA BAYAJI PAWAR DIED THROUGH HIS LRS SALUBAI BABA PAWAR
AND ORS

WITH
CIVIL APPLICATION NO. 9858 OF 2025
IN FA/333/2025

JIJABAI NAMDEO HADGALE SINCE DECEASED THROUGH HER LEGAL
REPRESENTATIVE NAMDEO BABA HADGALE AND ORS

VERSUS

THE EXECUTIVE ENGINEER MEDIUM PROJECT OSMANABAD AND
ORS

WITH

CIVIL APPLICATION NO. 9857 OF 2025
IN FA/332/2025

BABA BAYAJI PAWAR SINCE DECEASED THROUGH HIS LEGAL
REPRESENTATIVE SALUBAI BABA PAWAR AND ORS

VERSUS

THE EXECUTIVE ENGINEER MEDIUM PROJECT OSMANABAD AND
ORS

WITH

CIVIL APPLICATION NO. 9856 OF 2025
IN FA/331/2025

ROHIDAS BABA PAWAR AND ORS

VERSUS

THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION
OSMANABAD AND ORS

WITH

CIVIL APPLICATION NO. 10270 OF 2024
IN FA/333/2025

THE EXECUTIVE ENGINEER OSMANABAD MEDIUM PROJECT
DIVISION OSMANABAD

VERSUS

JIJABAI NAMDEO HADGALE DIED THROUGH LRS NAMDEO BABA
HADGALE AND ORS

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Mr. Mayur R. Achar h/f. Mr. A. R. Devakate, Advocate for Applicants
Mr. P. A. Pisal, Advocate for Respondent No.1
Mr. S. V. Hange, AGP for respondents-State

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 19th SEPTEMBER 2025

PER COURT :-

CIVIL APPLICATION NO. 9859 OF 2025 (WITHDRAWAL)

CIVIL APPLICATION NO. 9858 OF 2025 (WITHDRAWAL)

CIVIL APPLICATION NO. 9856 OF 2025 (WITHDRAWAL)

CIVIL APPLICATION NO. 9857 OF 2025 (WITHDRAWAL)

1. These applications are filed by the applicants in their respective First appeals, seeking permission to withdraw the amount deposited by the acquiring body in this Court in connection with the respective appeals. The learned counsel for the applicants submits that the land of the applicants has been acquired by the acquiring body under compulsory acquisition and very meager amount was granted by the competent authority. As against the grant of initial compensation, the applicants have filed land acquisition references in the Reference Court, which granted enhancement in the compensation amount. The learned counsel for the applicants further submits that the entitlement of the applicants for the compensation has been judiciously assessed by the learned Reference Court, after considering evidence on record and applying the parameters established by this Court as well as by the Hon'ble Supreme Court from time to time. In light of this, the applicants seek withdrawal of the awarded amount.

2. The learned counsel for the applicants relies on an order

dated 05.08.2025, passed by this Court in Civil Application No.8252 of 2025 in FA/1750/2024 with connected matters. He submits that the cited matters arise out of the same land acquisition proceedings and same land acquisition award, which is the subject matter of present applications and appeals. The learned counsel for the applicants further submits that this Court has permitted the applicants in the cited matters to withdraw 50% of the deposited amount on furnishing undertaking and further 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Therefore on the ground of parity, the applicants pray for the same order in the present applications.

3. The learned counsel for the acquiring body does not dispute the factual position as submitted by the learned counsel for the applicants.

4. Hence I pass the following order :-

ORDER

- a. Civil Applications are allowed.
- b. Applicants are permitted to withdraw 50% of the deposited amount with accrued interest on furnishing usual undertaking and further 25% of the deposited amount with accrued interest on solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

c. Balance amount shall be deposited in the nationalized bank in fixed deposit.

d. Civil Applications stand disposed of.

CIVIL APPLICATION NO. 10272 OF 2024

CIVIL APPLICATION NO. 10270 OF 2024

CIVIL APPLICATION NO. 10266 OF 2024

CIVIL APPLICATION NO. 10268 OF 2024

1. In view of the fact that, the entire payable award amount is deposited by the acquiring body together with interest in this Court, and a portion of such deposited amount is also permitted to be withdraw, stay granted earlier is made absolute.

2. Civil Applications are allowed and disposed of accordingly.

[AJIT B. KADETHANKAR, J.]

PRW