



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 CIVIL APPLICATION NO. 4126 OF 2025
IN FA/348/2019

Sanjay Kishan Chavan

....Applicant

VERSUS

The State Of Maharashtra

Thr The Collector, Osmanabad And Ors.

.....Respondent

.....

AND CIVIL APPLICATION NO. 4127 OF 2025
IN FA/350/2019

Ratnabai Kishan Chavan

.....Applicant

VERSUS

The State Of Maharashtra Thr

The Collector, Osmanabad And Ors

.....Respondents

....

AND CIVIL APPLICATION NO. 4128 OF 2025
IN FA/349/2019

Ramabai Umaji Rathod Thr Lrs Sanjay And Ors

.....Applicants

VERSUS

The State Of Maharashtra Thr

The Collector, Osmanabad And Ors

.....Respondents

....

Mr. Patil Laxmikant C., Advocate for Applicants in all Applications

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

Mr. G. B. Rajale, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

DATE : 09.04.2025

PER COURT :

1. These are the Applications for withdrawal of remaining 35% amount deposited by the Acquiring Body with the Office of this Court.

2. It is submitted by the learned Advocate for the Applicants that the Acquiring Body had deposited entire amount awarded by the learned Reference Court and the Applicants in the respective

Applications have withdrawn total 65% amount from the said amount deposited by the Acquiring Body. He submits that 35% amount remains with this Court and the Applicants are ready to furnish solvent surety / security against withdrawal of the said remaining amount. He submits that this Court in similar matters, out of which one i.e. Civil Application No.6170/2024 in First Appeal No.2657/2019, has allowed the same request.

3. The Applications are opposed by the learned Advocate for the Acquiring Body. He submits that the Applicants have already withdrawn 65% of the amount and if the Applications are allowed, nothing would survive in the Appeals. He submits that the Applications be rejected.

4. The learned AGP opposes the Applications.

5. There is no dispute that by order dated 27/09/2024 passed in the aforesaid Civil Applications, this Court considered and granted similar prayer. The Applicants herein are ready to furnish solvent surety / security towards withdrawal of the remaining 35% amount along with interest accrued thereon.

6. In view of the above, there is no impediment to allow the Applications and the same are allowed in terms of Prayer Clause - 'B' therein, subject to furnishing solvent surety / security by the Applicants against the said withdrawal to the satisfaction of the Registrar [Judicial] of this Court. Civil Applications stand disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025

Signed by: Md. Sameer Q.

Designation: PA To Honourable Judge

Date: 15/04/2025 12:08:34