



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 CIVIL APPLICATION NO. 11427 OF 2024
IN FAST/19534/2023

GOVIND EKNATH SURWASE DIED THROUGH LRS 1 SHAMAL
UTTAM SURASE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
OSMANABAD AND ORS

WITH CIVIL APPLICATION NO. 9735 OF 2023 IN
FAST/19514/2023 WITH CIVIL APPLICATION NO. 9741 OF
2023 IN FAST/19523/2023 WITH CIVIL APPLICATION NO.
9736 OF 2023 IN FAST/19534/2023 WITH CIVIL
APPLICATION NO. 9739 OF 2023 IN FAST/19529/2023 WITH
CIVIL APPLICATION NO. 9737 OF 2023 IN FAST/19534/2023
WITH CIVIL APPLICATION NO. 9743 OF 2023 IN
FAST/19517/2023

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Advocate for Applicants : Adv. S. A. Kale h/f Mr. Ajeet
Babanrao Kale.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.3 : Ms. Vaishali S. Swami h/f Mr.
M. C. Swami.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 04.11.2025

PER COURT :-

Civil Application No.11427 of 2024 (Withdrawal)

1. Heard both sides.
2. Applicants seek to withdraw the amount deposited by respondent/acquiring body.

3. In a similarly situated matters, the Co-ordinate Bench permitted to withdraw 75% of the amount on furnishing undertaking. On the ground of parity, applicants are entitled to receive the amount on identical condition.

4. Civil application is partly allowed permitting the applicants to receive 75% amount with accrued interest on furnishing undertaking.

5. Balance amount shall be invested in nationalized bank.

Civil Application No.9737 of 2023 (Delay)

6. Applicant seeks to condone delay of 1686 days in preferring first appeal.

7. Learned counsel for the respondents opposes the application.

8. It reveals from record that in connected appeals, delay was condoned. Those appeals are pending for final disposal. For the reasons stated in the present application, I deem it appropriate to condone the delay.

9. Civil application for delay is allowed.

First Appeals

10. **Admit.**

11. Learned AGP waives service of notice for respondents-State. Learned counsel Mr. Kale waives service of notice for respondent/claimant.

12. Call for Record and Proceedings from the concerned Court.

13. Print is dispensed with.

Civil Applications for Stay

14. As the entire amount has been deposited by acquiring body in each appeal, ad-interim relief granted earlier shall stand confirm. Civil applications for stay are disposed of.

(SHAILESH P. BRAHME, J.)

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