



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

50 CIVIL APPLICATION NO. 13471 OF 2025
IN FAST/28166/2023
WITH
CIVIL APPLICATION NO. 11583 OF 2023
IN FAST/28166/2023
WITH
CIVIL APPLICATION NO. 11582 OF 2023
IN FAST/28166/2023
WITH
CIVIL APPLICATION NO. 13472 OF 2025
IN FAST/28171/2023
WITH
CIVIL APPLICATION NO. 11580 OF 2023
IN FAST/28171/2023
WITH
CIVIL APPLICATION NO. 11581 OF 2023
IN FAST/28171/2023

RAJENDRA DHONDIRAM HADAGALE AND ORS

VERSUS

THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION OSMANABAD
AND ORS

...

Advocate for Claimant : Mr. S.P. Salgar h/f Mr. Anant Ramahari Devakate

Advocate for Acquiring Body : Mr. Arun H. Koralkar

AGP for State : Mrs. M.N. Ghanekar

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CORAM : SHAILESH P. BRAHME, J.

DATE : 08.12.2025

PER COURT :

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

1. The applicants are praying withdrawal of amount of Rs. 49,04,099/- (in CA 13471/2025) and Rs. 24,10,229/- (CA No. 13472/2025) in respective appeals.
2. The Acquiring Body has deposited only 75% of the amount with accrued interest in the appeals. In similarly situated matters this Court permitted the claimants to receive the amount on certain conditions. I

propose to follow the same course as is done vide order dated 10.11.2025 in the matter of Dnyanoba Vithoba Pawar Vs. Executive Engineer Medium Project.

3. The Civil Applications are allowed partly permitting the applicants to receive 75% of the amount with accrued interest on furnishing undertaking and further 25% of the amount with accrued interest on furnishing security/surety to the satisfaction of the Registrar (Judicial) of this Court.

CIVIL APPLICATIONS FOR DELAY

4. The Acquiring Body seeks to condone delay of 389 days in both appeals.

5. The averments of the applications have not been controverted. There are no *mala fides* on the part of the acquiring body in preferring the appeals belatedly. The condonation of delay has repercussion over public exchequer.

6. The delay stands condoned. The Civil Applications are disposed of.

FIRST APPEALS (STAMP)

7. **Admit.** Learned counsel Mr. Salgar h/f Mr. Devkate learned counsel waives service for Claimants. Learned A.G.P. waives service for the State.

8. Call record and proceedings.

9. Print is dispensed with.

CIVIL APPLICATION FOR STAY

10. As the entire amount is deposited in pursuance of the order of this Court, *ad interim* relief granted earlier shall stand confirmed.

11. The Civil Applications are disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-