



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 11392 OF 2025
IN
FIRST APPEAL NO. 2679 OF 2018**

Mandodhari Chandrahas Mankaraj
and others .. Applicants

Versus

The G.M.I.D.C., Through The
Executive Director and Executive
Engineer, Osmanabad M.I.D.,
Osmanabad and others .. Respondents

Shri Vivekanand V. Ingale, Advocate for the Applicants.
Ms. Riya Khandelwal, Advocate h/f Shri Anand Chaware,
Advocate for the Respondent No. 1.
Shri V. S. Badakh, A.G.P. for the Respondent Nos. 2 and 3.
Shri Eknath G. Irale, Advocate for the Respondent No. 4.

**WITH
CIVIL APPLICATION NO. 11393 OF 2025
IN
FIRST APPEAL NO. 2679 OF 2018**

Babu Ram Sahadeo .. Applicant

Versus

The G.M.I.D.C., Through The
Executive Director and Executive
Engineer, Osmanabad M.I.D.,
Osmanabad and others .. Respondents

Shri Eknath G. Irale, Advocate for the Applicant.
Ms. Riya Khandelwal, Advocate h/f Shri Anand Chaware,
Advocate for the Respondent No. 1.
Shri V. S. Badakh, A.G.P. for the Respondent Nos. 2 and 3.
Shri Vivekanand V. Ingale, Advocate for the Respondent Nos. 4
to 7.

CORAM : SHAILESH P. BRAHME, J.

DATE : 13TH OCTOBER, 2025.

FINAL ORDER :

. Heard both sides.

2. The applicants are praying for withdrawal of 50% of the amount deposited, which remained in the Court. They were permitted to withdraw 50% of the amount vide order dated 19th March, 2019. Accordingly the amount was disbursed. Now they are relying on order dated 12.09.2025 passed by the Coordinate Bench permitting the claimants in similarly situated matter to receive the balance 50% amount also on furnishing undertaking.

3. Learned counsel for the respondent No. 1 - acquiring body submits that if the prayer of the applicants is granted that would amount to 100% withdrawal of the amount which is very exorbitant one. It is submitted that acquiring body has good case on merits and if the appeal is allowed, it would be difficult to recover the amount from the claimants.

4. Considering the objection of the acquiring body, this Court permitted similarly situated claimants to receive balance amount vide order dated 12.09.2025. Instead of permitting the remaining amount to be withdrawn on undertaking, I propose to disburse 25% of the amount with accrued interest on furnishing undertaking and 25% of the amount with accrued interest on

furnishing solvent security/surety.

5. The civil application is partly allowed. The applicants are permitted to receive balance 25% amount with accrued interest on furnishing undertaking and 25% of the amount with accrued interest on furnishing solvent security/surety to the satisfaction of the Registrar (Judicial). The civil applications are disposed of.

[SHAILESH P. BRAHME J.]

bsb/Oct. 25