



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 CIVIL APPLICATION NO. 10536 OF 2025
IN FAST/30136/2023

BHAGURAM S/O NIVRATI KASALE DIED THROUGH LRS
HARIBAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
LATUR AND ORS

WITH
CIVIL APPLICATION NO. 13392 OF 2023
IN FAST/30136/2023 WITH
CIVIL APPLICATION NO. 13393 OF 2023
IN FAST/30136/2023

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Advocate for Applicants : Mr. Patil Laxmikant C
AGP for Respondent/s-State : Mrs. M. N. Ghanekar.
Advocate for Respondent No.3 : Mr. S. C. Arora.
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CORAM : SHAILESH P. BRAHME, J.
DATE : 11.11.2025

PER COURT :-

1. Applicants seek to withdraw the amount deposited by the acquiring body.
2. Reliance is sought on the common order dated 09.10.2025 passed by the Co-ordinate Bench in connected matters which is placed on record.
3. I do not find any difficulty in permitting the applicants to receive 50% of the amount as is done in the connected matters.

4. Civil application for withdrawal of amount is partly allowed permitting the applicants to receive 50% of the amount with accrued interest on furnishing undertaking and remaining 50% shall be disbursed on furnishing solvent security/surety to the satisfaction of the Registrar (Judicial).

Civil Application for Delay

5. Applicant seeks to condone delay of 474 days in preferring appeal. The delay in identical matters has already been condoned.

6. For the reasons stated in the application, it is desirable to condone the delay. Delay is condoned. Civil application is allowed.

First Appeal

7. **Admit.**

8. Learned AGP waives service of notice for respondents-State. Learned counsel Mr. Arora waives service of notice for respondent No.3.

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

10. Print is dispensed with.

Civil Application for Stay

11. As the amount has been deposited in pursuance of the orders passed by this Court, ad-interim relief granted earlier shall stand confirm. Civil application for stay is disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-