

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 CIVIL APPLICATION NO. 9891 OF 2025
IN FAST/28848/2024
WITH
CIVIL APPLICATION NO. 12033 OF 2024
IN FAST/28848/2024
WITH
CIVIL APPLICATION NO. 12034 OF 2024
IN FAST/28848/2024

GAUTAM SHRIMANT DONGARE DIED THROUGH HIS LRS CHANDRAKALA
GAUTAM DONGARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR OSMANABAD AT
OSMANABAD

...

Advocate for Applicant : Mr. More Abhijit S. More Abhijit S

AGP for Respondent Nos. 1 & 2 : Mr. S.V. Hange

Advocate for Respondent No. 3 : Mr. Arora Shyam Chotelal

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CORAM : SHAILESH P BRAHME, J.

DATE : 20.11.2025

PER COURT :

Heard both sides.

2. The applicants seek to withdraw Rs. 6,89,709/- deposited by the respondent-acquiring body.
3. The application is opposed by the respondent-acquiring body. It is pointed out that the interest is awarded from the date of notification instead of award.
4. Ends of justice would be made in permitting the applicants to receive 50% of the amount on furnishing undertaking and 25% of the amount on furnishing solvent surety/security to the satisfaction of the Registrar Judicial.

5. The Civil Application is partly allowed permitting applicants to receive 50% of the amount with accrued interest on furnishing undertaking and 25% of the amount with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar Judicial.

CIVIL APPLICATION NO. 12033 OF 2024 FOR DELAY

The applicant-Acquiring Body seeks to condone 4243 days delay.

2. The averments in the application have not been controverted by the claimant. There are no mala fides on the part of the applicant-acquiring body in preferring the appeal belatedly.
3. The delay stands condoned.
4. The Civil Application is disposed of.

FIRST APPEAL (STAMP) NO. 28848/2024

Admit. Learned advocate Mr. More for respondent no. 1 to 4. Learned A.G.P waives service for respondent no.5.

2. Call for record and proceeding.
3. Print is dispensed with.

CIVIL APPLICATION NO. 12034 OF 2024 FOR STAY

As the entire amount is deposited, *ad interim* relief granted earlier shall stand confirmed.

2. The Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-