



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

35 CIVIL APPLICATION NO. 12496 OF 2025
IN FA/1580/2024

ABHIMAN VITTHAL BANGAR DIED THROUGH LRS DATTATRAY AND ORS.

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Mr. D. A. Mane h/f. Mr. N. G. Talekar, Advocate for Applicants
Mr. N. R. Dayma, AGP for Respondents-State

WITH

CIVIL APPLICATION NO. 12497 OF 2025
IN FA/1579/2024

BHANUDAS APPA BANGAR

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Mr. D. A. Mane h/f. Mr. N. G. Talekar, Advocate for Applicant
Mr. N. R. Dayma, AGP for Respondents-State

WITH

CIVIL APPLICATION NO. 12499 OF 2025
IN FA/1578/2024

ANKUSH RAMBHAU BANGAR

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Mr. D. A. Mane h/f. Mr. N. G. Talekar, Advocate for Applicant
Mr. N. R. Dayma, AGP for Respondents-State

WITH

CIVIL APPLICATION NO. 12498 OF 2025
IN FA/1581/2024

KARBHARI NAMDEO BANGAR (DIED) THR LEGAL HEIRS KESHARBAI AND
ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Mr. D. A. Mane h/f. Mr. N. G. Talekar, Advocate for Applicants
Mr. N. R. Dayma, AGP for Respondents-State
...

CORAM : SHAILESH P. BRAHME, J.
DATE : 18.11.2025

PER COURT :-

CIVIL APPLICATION NO. 12496 OF 2025
CIVIL APPLICATION NO. 12498 OF 2025

. In both applications, the deceased applicant-Abhiman Vitthal Bangar is no more. His legal representatives have preferred applications for bringing them on record by condoning the delay. The cause of action survives as against them. It is desirable to condone the delay.

2. Both Civil Applications are allowed in terms of prayer clause "A".

3. Both the parties shall be at liberty to carry out amendment within two (2) weeks from today.

CIVIL APPLICATION NO. 12496 OF 2025
CIVIL APPLICATION NO. 12497 OF 2025
CIVIL APPLICATION NO. 12499 OF 2025
CIVIL APPLICATION NO. 12498 OF 2025

. Heard both sides.

2. The applicants are praying for withdrawal of amounts with accrued interest deposited by the respondent-acquiring body.

3. My attention is adverted to the common impugned judgment and award passed by the Reference Court to make out a case that 65% deduction is arbitrary. The land is not from the urban area and applicants are entitled to get rate of Rs.2500/- per R instead of approximately Rs.1150/- per R.

4. The learned AGP opposes the submissions and would submit that impugned judgment is vulnerable and the acquiring body has every hope of success in the appeal.

5. I have considered the rival submissions of the parties. I have gone through the relevant part of the order permitting the applicants to receive 75% of the amount on furnishing undertaking and 25% of the amount on furnishing surety/security.

6. Civil Applications are partly allowed.

7. The applicants shall be paid 75% 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 learned Registrar (Judicial).

FIRST APPEALS

. **Admit.**

2. Mr. D. A. Mane h/f. Mr. N. G. Talekar, learned counsel waives service of notice for the respondents.

3. Call for Record and Proceeding. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

PRW