



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

**CIVIL APPLICATION NO. 13156 OF 2025
IN
FIRST APPEAL NO. 3188 OF 2023**

Laxman Damu Bankar
Since deceased through his L.Rs.
Chababai Laxman Bankar .. Applicant
Versus
The State of Maharashtra and others .. Respondents

**WITH
CIVIL APPLICATION NO. 13155 OF 2025
IN
FIRST APPEAL NO. 3187 OF 2023**

Machchindra Namdeo Jawale .. Applicant
Versus
The State of Maharashtra and others .. Respondents

**WITH
CIVIL APPLICATION NO. 13154 OF 2025
IN
FIRST APPEAL NO. 3189 OF 2023**

Devidas Shankar Jawale .. Applicant
Versus
The State of Maharashtra and others .. Respondents

Ms. Mrunal Andhare, Advocate h/f Shri Ajeet B. Kale, Advocate
for the Applicant.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2.
Mrs. Surekha G. Chincholkar, Advocate for the Respondent No.
3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 05TH DECEMBER, 2025.**

FINAL ORDER :

. Heard learned counsel for the parties.

2. Applicants are praying for withdrawal of amount for the reasons stated in the application.

3. Learned counsel for the applicant submits that arising out of same acquisition proceedings, the respondent acquiring body complied with the award before the Reference Court. No appeal has been preferred by the acquiring body. The acquiring body is selective in case of preferring appeals. It is further submitted that enhancement by the Reference Court is reasonable.

4. Applications are contested by the learned counsel for the respondent – acquiring body. It is submitted that no material is produced for the enhancement and the impugned judgment is vulnerable.

5. It reveals from record that the enhancement given by the Reference Court is over seven times. The acquiring body has not preferred appeals in respect of few of the claimants from the same acquisition proceedings, whose lands are acquired for the self same project.

6. Considering overall circumstances it is desirable to permit the applicants to receive the amount. The civil applications are

allowed partly permitting the applicants to receive 50% of the deposited amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. The civil applications are disposed of.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25