



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

**CIVIL APPLICATION NO. 12151 OF 2025
IN
FIRST APPEAL STAMP NO. 32322 OF 2024**

Kishor Kisan Khole and others .. Applicants

Versus

The Union of India, through General
Manager Central Railway and others .. Respondents

Shri Tushar C. Shinde, Advocate h/f Shri C. K. Shinde, Advocate
for the Applicants

Shri Ajay G. Talhar, Advocate for the Respondent Nos. 1 and 2. –
absent.

Shri N. R. Dayma, A.G.P. for the Respondent No. 3.

Shri D. S. Kulkarni, Advocate for the Respondent No. 4.

CORAM : SHAILESH P. BRAHME, J.

DATE : 13TH NOVEMBER, 2025.

FINAL ORDER :

. Applicants seek to withdraw amount of Rs. 26,92,883/-
deposited by the respondent – acquiring body.

2. Present application is preferred only by three claimants
out of four. The respondent No. 4 though is held to be entitled to
the compensation at par with applicants has not preferred
independent application. There is no dispute that all the
claimants are entitled to the compensation.

3. It is submitted by the learned counsel for the respondent No. 4 that applicant Nos. 1 to 3 are entitled to receive 50% amount and respondent No. 4 alone is entitled to receive 50% amount as both of them are from different strip/side.

4. It is further submitted that in similarly situated matters claimants are permitted to receive 100% of the amount deposited on certain conditions.

5. The civil application is allowed partly permitting the applicants as well as respondent No. 4 to receive 50% each out of the 100% amount deposited in this court with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. The civil application is disposed of.

6. It is made clear that applicant Nos. 1 to 3 are from one strip/side and the respondent No. 4 is from another strip/side. Therefore 50% of the amount deposited with accrued interest shall be disbursed to the applicant Nos. 1 to 3 and remaining 50% of the amount deposited with accrued interest shall be disbursed to the respondent No. 4.

[SHAILESH P. BRAHME J.]

bsb/Nov. 25