



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

**931 CIVIL APPLICATION NO. 1043 OF 2025
IN FAST/9466/2012**

PIRAJI MANIK KENDRE

VERSUS

**THE STATE OF MAHARASHTRA ,
THROUGH COLLECTOR, LATUR AND ANR**

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WITH

**CIVIL APPLICATION NO. 1044 OF 2025
IN FAST/9475/2012**

...

WITH

**CIVIL APPLICATION NO. 1045 OF 2025
IN FAST/9472/2012**

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WITH

**CIVIL APPLICATION NO. 1046 OF 2025
IN FAST/9448/2012**

...

WITH

**CIVIL APPLICATION NO. 1047 OF 2025
IN FAST/9468/2012**

.....

Advocate for the Applicants in all applications: Mr.Chillarge Subhash S.
APP for Respondent/State in all applications: Mr.K.K.Naik

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CORAM : SHAILESH P BRAHME, J.

DATE : 4th APRIL 2025

PER COURT :

. The applicants are the claimants who are seeking permission to withdraw amount deposited by respondent/acquiring body in this Court. In the month of November 2024, respondent/acquiring body deposited the amount of compensation in all these five matters proportionately. The entitlement is demonstrated by the application by Exhibit-R1 annexed to Civil Application No. 1043 of 2025. There is no dispute that respondent deposited proportionately net amount payable which is shown in column no. 10.

2. Learned AGP appearing for the acquiring body opposed the request of the applicants. It is submitted that unless the first appeals are decided, the applicants can not be permitted to withdraw the amount. Alternatively, it is submitted that on furnishing bank guarantee only amount can be permitted to be withdrawn.

3. I have considered the reasons assigned by the claimants in the respective applications. They have not withdrawn any amount so far. They are entitled to receive the amount deposited which is as per Exhibit-R1.

4. Considering overall circumstances, I find that applicants are entitled to receive the amount. Hence, I pass following order :

ORDER

- a) All Civil Applications are allowed.

b) Applicants are permitted to withdraw 50% amount on furnishing undertaking and balance 50% amount on furnishing surety to the satisfaction of Registrar (Judicial) of this Court.

c) The amount shall be disbursed proportionately as per Exhibit-R1 and more specifically as per column no.10.

[SHAILESH P. BRAHME, J.]

vsj..