



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 CIVIL APPLICATION NO. 12485 OF 2025
IN FA/3030/2021

MAHADEV BHIMRAO INGLE.

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE
COLLECTOR, OSMANABAD AND ORS.

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Advocate for Applicant : Mr. Shinde Manoj Dharmaraj.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.3 : Mr. Sudhir G. Bhalerao
(Through V. C.).

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CORAM : SHAILESH P. BRAHME, J.

DATE : 17.11.2025

PER COURT :-

1. Heard both sides.
2. By order dated 03.12.2021, the acquiring body was directed to deposit 80% of the amount while granting stay. Presuming that the amount would be deposited, this Court by subsequent order dated 05.09.2024 permitted the claimants to receive 50% on furnishing undertaking and 25% on furnishing solvent surety/security. The acquiring body did not deposit the amount promptly or within the stipulated period, but it came to be deposited on 16.10.2025. A letter to that effect is placed on record. The submission of the learned counsel Mr. Shinde

carries substance as there is no promptness in depositing the the amount, the applicant needs to be permitted to receive entire amount on furnishing undertaking. There is no difficulty in relying upon the orders passed by me in similarly situated matters permitting the applicant to receive amount when deposits were 100% in the High Court.

3. Civil application is partly allowed permitting the applicant to receive 60% of the amount with accrued interest on furnishing undertaking and 20% on furnishing solvent security/surety.

First Appeal

4. **Admit.**

5. Learned AGP waives service of notice for respondents-State. Learned counsel Mr. Shinde waives service of notice for respondent No.1.

6. Call for Record and Proceedings from the concerned Court.

7. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

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vmk/-