



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

28 CIVIL APPLICATION NO. 13175 OF 2025
IN FA/2566/2021

SHYAM HAMBIRRAO PATIL.

VERSUS

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

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Advocate for Applicant : Mr. More Abhijit S.

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

Advocate for Respondent No.3 : Mr. Shamsundar B. Patil –
Discharged.

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AND

33 CIVIL APPLICATION NO. 13197 OF 2025
IN FAST/12186/2021

PAIGAMBAR FAKIR MOHAMMAD SAYYAD.

VERSUS

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

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Advocate for Applicant : Mr. More Abhijit S.

AGP for Respondent/s-State : Mrs. M. N. Ghanekar.

Advocate for Respondent No.3 : Mr. A. M. Gaikwad – Absent.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 04.12.2025

PER COURT :-

1. Learned counsel Mr. Shamsundar B. Patil submits that he is no more as Panel Lawyer of the acquiring body. His appearance stands discharged in Civil Application No.13175 of 2025.

2. Heard learned counsel for the applicants.
3. None appears for the respondent/acquiring body.
4. Applicants seek direction to comply order dated 04.08.2021 and 21.08.2021 respectively and/or to vacate the interim relief. My attention is adverted to the order dated 04.08.2021 by which interim relief was granted subject to deposit of 50% of the amount with accrued interest. Accordingly, the acquiring body deposited Rs.1,44,20,608/- in First Appeal No.2566 of 2021. In First Appeal Stamp No.12186 of 2021, the acquiring body was directed to deposit 50% of the amount while granting stay vide order dated 21.08.2021. They have deposited Rs.3,49,016/-.
5. The grievance of the applicants is that there is non-compliance of the orders passed by this Court while granting stay.
6. The respondent/acquiring body has not complied with orders of this Court directing to deposit 50% of the amount. The depositing of the lesser amount would be in defiance of the earlier orders. Unless a relaxation of earlier order or due permission is solicited the acquiring body *suo motu* cannot reduce the amount to be deposited in this Court.

7. The averments of the applications indicate that lesser amount i.e. only 40% and 30% respectively is deposited by the acquiring body. It is re-iterated that acquiring body will have to deposit 50%.

8. Civil applications are disposed of directing the respondent/acquiring body to deposit the balance amount with accrued interest so as to make up 50% of the deposits as prescribed in earlier orders.

(SHAILESH P. BRAHME, J.)

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vmk/-