



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

926 CIVIL APPLICATION NO. 13063 OF 2025
IN FA/1554/2019

Tanaji Nivruti Bhosale.

VERSUS

The State Of Maharashtra
Through The Dist Collector Osmanabad And Ors.

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WITH

CIVIL APPLICATION NO. 13065 OF 2025
IN FA/1559/2019

Maruti Vishwanath Bhosale.

VERSUS

The State Of Maharashtra
Through The Collector, Osmanabad And Ors.

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WITH

CIVIL APPLICATION NO. 13064 OF 2025
IN FA/1557/2019

Laxman Vishwanath Kumbhar.

VERSUS

The State Of Maharashtra
Through The Dist Collector Osmanabad And Ors.

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WITH

CIVIL APPLICATION NO. 13068 OF 2025
IN FA/1558/2019

Yuvraj Nivruti Bhosale.

VERSUS

The State Of Maharashtra
Through The Collector, Osmanabad And Ors.

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WITH

CIVIL APPLICATION NO. 13067 OF 2025
IN FA/1556/2019

Mahadeo Nivruti Bhosale.

VERSUS

The State Of Maharashtra
Through The Dist Collector Osmanabad And Ors.

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WITH

**CIVIL APPLICATION NO. 13069 OF 2025
IN FA/1560/2019**

Mahaveer Annarao Kandale Died
Through LR's Sangita And Ors.

VERSUS

The State Of Maharashtra
Through The Dist Collector Osmanabad And Ors.

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WITH

**CIVIL APPLICATION NO. 13066 OF 2025
IN FA/1555/2019**

Datta Vishwanath Kumbhar.

VERSUS

The State Of Maharashtra
Through The Collector, Osmanabad And Ors.

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In all the matters :

Shri. Laxmikant C. Patil, Advocate for the Applicants

Ms. M. L. Sangit, APP for the State.

Shri. S. B. Panere, Advocate for the Respondent No.3

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CORAM : NEERAJ P DHOTE, J.

Dated : NOVEMBER 27, 2025

PER COURT :-

1. These are the Applications filed by the Applicants / Original Claimants for withdrawal of the remaining 30% amount deposited by Respondent No.3 - Acquiring Body with this Court.

2. Heard the learned Advocate for the Applicants / Original Claimants, the learned AGP for Respondent Nos.1 and 2 and the learned

Advocate for Respondent No.3 - Acquiring Body.

3. The learned Advocate for the Applicants submits that, in other matters, wherein the Acquiring Body is the same, this Court, in Civil Application No.6490/2024 in First Appeal No.3869/2019, has permitted withdrawal of the remaining 25% amount on furnishing solvent surety / security by the Applicants to the satisfaction of the learned Registrar [Judicial] of this Court. He submits that, the Applicants are ready to furnish solvent surety / security against withdrawal. He, therefore, submits that, the Applications be allowed.

4. The Applications are vehemently opposed by the learned Advocate for Respondent No.3 - Acquiring Body. He submits that, this Court has already permitted the Applicants to withdraw 70% of the amount, and if the remaining 30% is allowed to be withdrawn, nothing would remain in the Appeals. He submits that, the Appeals be heard finally and the Applications may not be considered.

5. The learned AGP for Respondent Nos.1 and 2 supports the contention of the learned Advocate appearing for Respondent No.3 – Acquiring Body.

6. The acquisition is of 2003. The Appeals are of 2019. The similarly

placed Claimants are permitted to withdraw entire amount under the Award deposited by the Acquiring Body in the above referred Appeal. The Applicants are ready to furnish solvent surety / security against withdrawal of the balance 30% amount. In this view of the matters, I proceed to pass the following order :

ORDER

- (i) Civil Applications are allowed in terms of Prayer Clause – ‘B’, subject to the condition that, the Applicant/s shall furnish solvent surety / security against the withdrawal of the amount to the satisfaction of the learned Registrar [Judicial] of this Court.
- (ii) Civil Applications are disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP