



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO. 489 OF 2025
IN FAST/33533/2022

MACHINDRA GANPATI JAGTAP, DIED THROUGH HIS LEGAL HEIRS
1A GORAKH MACHINDRA JAGTAP AND OTHERS

VERSUS

THE STATE OF MAHARASTRA THROUGH COLLECTOR AT
OSMANABAD AND OTHERS

.....

Advocate for Applicants : Mr. Abhijit S. More

AGP for Respondent Nos.1 and 2 - State : Mr. S. M. Ganachari

Advocate for Respondent No.3 : Mr. M. N. Kalyane h/f Mr. G. B. Rajale

.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 30 JULY 2025

PER COURT :

1. Heard rival submissions.
2. The legal heirs of applicant in this Application are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body along with the interest accrued thereon. It appears that, the acquiring body has deposited 75% of the amount of impugned award as per order dated 13.01.2025.
3. Learned counsel submits that, this Court in similar matters i.e. in Civil Application No. 7696 of 2025 in First Appeal No.1850 of 2024

and other connected Applications, has permitted the similarly placed claimants to withdraw the 75% amount out of entire amount of compensation deposited with this court, i.e. 50% on usual undertakings and 25% on furnishing solvent surety/security.

4. The learned counsel for the acquiring body opposed the application for withdrawal of entire deposited amount.

5. For the reasons stated in the application, the applicants herein are permitted to withdraw the entire 75% of the amount deposited with this court, with accrued interest thereon, i.e. 50% on furnishing usual undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

6. The Civil Application is accordingly disposed off.

(ABHAY S. WAGHWASE, J.)