



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

**CIVIL APPLICATION NO. 14077 OF 2025
IN
FIRST APPEAL NO. 3020 OF 2021**

Ashok Maruti Fadtale

.. Applicant

Versus

The State of Maharashtra through the
Collector, Osmanabad and others

.. Respondents

Shri Dinesh D. Daud, Advocate h/f Shri Manoj D. Shinde,
Advocate for the Applicant.

Mrs. M. N. Ghanekar, A.G.P. for the Respondent Nos. 1 and 2.
Shri Sajed W. Khan, Advocate h/f Shri S. G. Bhalerao, Advocate
for the Respondent No. 3.

CORAM : SHAILESH P. BRAHME, J.

DATE : 23RD DECEMBER, 2025.

FINAL ORDER :

. The applicant seeks to withdraw amount of Rs. 91,58,006/- deposited by the respondent – acquiring body. Reliance is placed on the order dated 02.12.2025 passed by this Court in First Appeal No. 3017 of 2021 permitting similarly situated claimant to receive 60% of the amount deposited with accrued interest on furnishing undertaking and 20% of the amount deposited with accrued interest on furnishing solvent security/surety.

2. The application is contested by the respondent – acquiring body. It is submitted that the amount deposited is huge one

because exorbitant compensation has been granted by the Reference Court. If the amount is disbursed, then it is difficult to recover the same.

3. This Court already permitted withdrawal in similarly situated matter. There is no reason for this Court to deviate from the view taken in coordinate matter. Amount of 20% has already been secured.

4. For the reasons stated in the application, the civil application is allowed permitting the applicant to receive 60% of the amount deposited with accrued interest on furnishing undertaking. The applicant is further permitted to receive 20% of the amount deposited with accrued interest on furnishing solvent security/security to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25