

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

**922 CIVIL APPLICATION NO. 12655 OF 2025
IN FAST/41332/2019**

Baburao Kishanrao Padulkar (died) Thr Lrs Ashok And Anr

VERSUS

The State Of Maharashtra Thr. Collector Osmanabad And Ors

...

Mr. Prasad D. Wakhare h/f Mr. Amar V. Lavte - Advocate for Applicant

Mr. A. D. Wange - AGP for State

Mr. Suresh W. Munde - Advocate for Respondent No.1

...

WITH

CIVIL APPLICATION NO. 10171 OF 2021 IN FAST/41332/2019

The Exe. Engineer, MID, Latur & Ors.

VERSUS

Baburao Kishanrao Padulkar (died) Thr Lrs Ashok And Anr

...

Mr. Suresh W. Munde - Advocate for Applicants

Mr. A. D. Wange - AGP for State

Mr. Prasad D. Wakhare h/f Mr. Amar V. Lavte - Advocate for Respondent
Nos. 1 and 2

...

CIVIL APPLICATION NO. 10173 OF 2021 IN FAST/41332/2019

The Exe. Engineer, MID, Latur & Ors.

VERSUS

Baburao Kishanrao Padulkar (died) Thr Lrs Ashok And Anr

...

Mr. Suresh W. Munde - Advocate for Applicants

Mr. A. D. Wange - AGP for State

Mr. Prasad D. Wakhare h/f Mr. Amar V. Lavte - Advocate for Respondent
Nos. 1 and 2

...

CIVIL APPLICATION NO. 10169 OF 2021 IN FAST/3931/2020

The Exe. Engineer, MID, Latur & Ors.

VERSUS

Baburao Kishanrao Padulkar (died) Thr Lrs Ashok And Anr

...
Mr. Suresh W. Munde - Advocate for Applicants
Mr. A. D. Wange - AGP for State
Mr. Prasad D. Wakhare h/f Mr. Amar V. Lavte - Advocate for Respondent
Nos. 1 and 2

...

CIVIL APPLICATION NO. 10170 OF 2021 IN FAST/3931/2020

The Exe. Engineer, MID, Latur & Ors.

VERSUS

Baburao Kishanrao Padulkar (died) Thr Lrs Ashok And Anr

...
Mr. Suresh W. Munde - Advocate for Applicants
Mr. A. D. Wange - AGP for State
Mr. Prasad D. Wakhare h/f Mr. Amar V. Lavte - Advocate for Respondent
Nos. 1 and 2

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CORAM : NEERAJ P DHOTE, J.

DATED : 20TH NOVEMBER, 2025

PER COURT : -

CIVIL APPLICATION NO. 12655 OF 2025 IN FAST/41332/2019: -

1. By the present Application, the Claimants have prayed for withdrawal of the entire amount deposited by the Acquiring Body in this Court.

2. Heard the learned Advocate for the Claimants/Applicants, learned AGP for the State, and the learned Advocate for the Acquiring Body.

3. The Acquiring Body has deposited 75% amount under the Award. The compensation enhanced by the learned Reference Court is

little over four (4) times. 25% amount is secured with the Acquiring Body. Hence, I proceed to pass the following order: -

ORDER

[i] The Applicants are allowed to withdraw the entire 75% amount with accrued interest thereon deposited by the Acquiring Body on furnishing regular undertaking to the satisfaction of the Registrar (Judicial) of this Court.

[ii] The Civil Application No. 12655 of 2025 stands disposed off.

CIVIL APPLICATION NO. 10171 OF 2021 IN FAST/41332/2019: -

1. This is an Application for condonation of 2694 days delay in preferring the First Appeal.
2. Heard the learned Advocate for the Applicants/Acquiring Body and the learned Advocate for the Claimants.
3. For the reasons mentioned in the Application, the Application is allowed in terms of prayer clause 'B'.
4. The Office shall register the Appeal.

CIVIL APPLICATION NO. 10173 OF 2021 IN FAST/41332/2019: -

1. This is an Application for stay to the impugned Judgment and Award passed by the learned Reference Court in L.A.R. No. 283 of

1997 decided on 10.02.2012.

2. The Acquiring Body has deposited 75% amount under the Award along with interest accrued thereon. Thus, the Application is allowed in terms of prayer clause 'B', which reads as under : -

“(B) Pending hearing and final disposal of the First Appeal, the effect, execution and implementation of the Judgment & Order dated 10.02.2012 passed by the Ld. 2nd Jt. Civil Judge (S.D.) Latur, in Land Acquisition Reference No. 283/1997 may kindly be stayed.”

3. The Application stands disposed of.

CIVIL APPLICATION NO. 10169 OF 2021 IN FAST/3931/2020:-

1. This is an Application for condonation of 2733 days delay in preferring the First Appeal.
2. Heard the learned Advocate for the Applicants/Acquiring Body and the learned Advocate for the Claimants.
3. For the reasons mentioned in the Application, the Application is allowed in terms of prayer clause 'B'.
4. The Office shall register the Appeal.

CIVIL APPLICATION NO. 10170 OF 2021 IN FAST/3931/2020:-

1. This is an Application for stay to the impugned Judgment and Award passed by the learned Reference Court in L.A.R. No. 284 of 1997 decided on 10.02.2012.
2. The Acquiring Body has deposited 75% amount under the

Award along with interest accrued thereon. Thus, the Application is allowed in terms of prayer clause 'B', which reads as under : -

“(B) Pending hearing and final disposal of the First Appeal, the effect, execution and implementation of the Judgment & Order dated 10.02.2012 passed by the Ld. 2nd Jt. Civil Judge (S.D.) Latur, in Land Acquisition Reference No. 284/1997 may kindly be stayed.”

3. The Application stands disposed of.

[NEERAJ P. DHOTE]
JUDGE

SG Punde