



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

**936 CIVIL APPLICATION NO. 9340 OF 2025  
IN FA/2747/2024**

Motiram Dagdu Gawande Died Thr Lrs Gajanan And Ors

**VERSUS**

The State Of Maharashtra Through The Collector And Ors

**WITH**

**CIVIL APPLICATION NO. 1608 OF 2024  
IN FA/2747/2024**

The State Of Maharashtra Through The Collector Jalna And  
Ors

**VERSUS**

Motiram Dagadu Gawande Died Through Legal Heirs Gajanan  
Gawande And Ors

**AND**

**937 CIVIL APPLICATION NO. 9341 OF 2025  
IN FA/2014/2024**

Kautikrao Shitaram Gawande And Ors

**VERSUS**

The State Of Maharashtra And Ors

**AND**

**WITH**

**CIVIL APPLICATION NO. 1665 OF 2024  
IN FA/2014/2024**

The State Of Maharashtra Through The Collector Jalna And  
Ors

**VERSUS**

Kautikrao Shitaram Gawande And Ors

**AND**

**938 CIVIL APPLICATION NO. 9346 OF 2025  
IN FA/1863/2024**

Kundlik Dashrath Barkale And Anr

**VERSUS**

The State Of Maharashtra Through The Collector And Ors

**WITH**  
**CIVIL APPLICATION NO. 1622 OF 2024**  
**IN FA/1863/2024**

The State Of Maharashtra Through The Collector Jalna And  
Ors

**VERSUS**

Kundlik Dashrath Barkale And Ors

**AND**

**939 CIVIL APPLICATION NO. 9347 OF 2025**  
**IN FA/1905/2024**

Totaram Dagdu Gawande Through Lrs And Ors

**VERSUS**

The State Of Maharashtra Through The Collector And Ors

**WITH**

**CIVIL APPLICATION NO. 1624 OF 2024**  
**IN FA/1905/2024**

The State Of Maharashtra Through The Collector Jalna And  
Ors

**VERSUS**

Totaram Dagadu Gawande Died Through Legal Heirs  
Prabhakar Gawande And Ors

**AND**

**940 CIVIL APPLICATION NO. 9348 OF 2025**  
**IN FA/1844/2024**

Shriram Rangnath Girnare And Anr

**VERSUS**

The State Of Maharashtra Through The Collector And Ors

**AND**

**WITH**

**CIVIL APPLICATION NO. 1663 OF 2024**  
**IN FA/1844/2024**

The State Of Maharashtra Through The Collector Jalna And  
Ors

**VERSUS**

Shriram Rangnath Girnare And Ors

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**CORAM : AJIT B. KADETHANKAR.**

**DATED : 16<sup>TH</sup> SEPTEMBER, 2025**

**ORDER :-**

**CIVIL APPLICATION NO. 9340 OF 2025 (WITHDRAWAL)  
CIVIL APPLICATION NO. 9341 OF 2025 (WITHDRAWAL)  
CIVIL APPLICATION NO. 9346 OF 2025 (WITHDRAWAL)  
CIVIL APPLICATION NO. 9347 OF 2025 (WITHDRAWAL)  
CIVIL APPLICATION NO. 9348 OF 2025 (WITHDRAWAL)**

. All the First Appeals are filed by the Acquiring Body, challenging enhancement granted by the learned Reference Court in the respective Land Acquisition References as mentioned below:

| <b>C.A. No.</b> | <b>First Appeal No.</b> | <b>L.A.R. No.</b> | <b>Authority</b>                            |
|-----------------|-------------------------|-------------------|---------------------------------------------|
| 9340 of 2025    | 2747 of 2024            | 40 of 2018        | Learned Civil Judge, Senior Division, Jalna |
| 9341 of 2025    | 2017 of 2024            | 39 of 2018        |                                             |
| 9346 of 2025    | 1863 of 2024            | 150 of 2018       |                                             |
| 9347 of 2025    | 1905 of 2024            | 220 of 2017       |                                             |
| 9348 of 2025    | 1844 of 2024            | 149 of 2018       |                                             |

2. Pursuant to the interim relief granted in favour of the Acquiring Body in their Civil Applications, the Acquiring Body has deposited the entire amount in this Court. As such, there is compliance of the first order passed by this Court. Pursuant to the deposits made by the Acquiring Body, present Civil Applications are moved by the claimants for withdrawal of the

deposited amount.

3. Mr. D. M. Pingale, learned Advocate for claimants submits that the entire source of livelihood of the claimants have been acquired by the Acquiring Body. Although, they have meager entitlement for compensation, their entitlement has been rightly adjudicated by the learned Reference Court. The Acquiring Body has unnecessarily challenged those in the appeals whereby, they are deprived of their legitimate right to get the compensation to which they deserve. With this, he seeks withdrawal of the entire amount granted by the learned Reference Court.

4. Per contra, Mr. S. S. Dande, learned AGP, appearing for the Acquiring Body vehemently opposes the Civil Applications atleast to the extent of 50 percent of the deposited amount. Mr. S. S. Dande would further submit that the enhancement granted by the learned Reference Court is 20 times more than the enhancement granted by the Competent Authority. He submits that the acquiring Body has good hopes of success in the First Appeals. He would further submits that interest of the claimants is well protected since the amount is deposited in this Court. Mr. Dande further demonstrates his

apprehension that if the entire amount is allowed to be withdrawn to the claimants, the public fund would be at danger if in the event his First Appeals stand allowed, as there is possibility that the Acquiring Body would be in difficulty to recover the amount exorbitantly granted by the learned Reference Court.

5. In view of the above consideration, I pass following order:

**ORDER**

- a. Civil Applications stand partly allowed.
- b. The applicants are permitted to withdraw 50 percent of the deposited amount on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Balance amount, if any, be deposited in the fixed deposit in any nationalized bank.

**FIRST APPEAL No.2747 OF 2024  
FIRST APPEAL No.2014 OF 2024  
FIRST APPEAL No.1863 OF 2024  
FIRST APPEAL No.1905 OF 2024  
FIRST APPEAL No.1844 OF 2024**

. Heard.

2. Admit.

3. Mr. D. M. Pingle, learned Advocate waives service of

notice for claimants/respondents.

4. Appellants to remove all the office objections, if any, within two weeks from today.
5. Print and paper book dispensed with.

**CIVIL APPLICATION NO. 1608 OF 2024 (STAY)**  
**CIVIL APPLICATION NO. 1665 OF 2024 (STAY)**  
**CIVIL APPLICATION NO. 1622 OF 2024 (STAY)**  
**CIVIL APPLICATION NO. 1624 OF 2024 (STAY)**  
**CIVIL APPLICATION NO. 1663 OF 2024 (STAY)**

. In view of order passed in Civil Application No. 9340 Of 2025, Civil Application No. 9341 Of 2025, Civil Application No. 9346 Of 2025, Civil Application No. 9347 Of 2025 And Civil Application No. 9348 Of 2025, Civil Applications for stay stand allowed.

2. Stay granted earlier is made absolute in terms of prayer clause 'B'.
3. Civil Applications stand disposed of.

**( AJIT B. KADETHANKAR, J. )**