



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 CIVIL APPLICATION NO. 3296 OF 2025
IN FAST/34790/2023

MANIK SOMNATH KUTE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
DHARASHIV AND ORS

...

Mr. Yash Pawar h/f. Mr. Ajeet Babanrao Kale, Advocate for Applicant.
Mr. K. N. Lokhande, AGP for Respondent-State.
Mr. Suresh Walmikrao Munde, Advocate for Respondent No.3.

...

WITH
CIVIL APPLICATION NO. 13306 OF 2023
IN FAST/34790/2023

THE EXECUTIVE ENGINEER, L.I.D. ,OSMANABAD AND ORS

VERSUS

MANIK SOMNATH KUTE

...

Mr. Suresh Walmikrao Munde, Advocate for Applicants.
Mr. K. N. Lokhande, AGP for Respondent-State.
Mr. Yash Pawar h/f. Mr. Ajeet Babanrao Kale, Advocate for Respondent.

WITH
CIVIL APPLICATION NO. 13308 OF 2023
IN FAST/34790/2023

THE EXECUTIVE ENGINEER, L.I.D. ,OSMANABAD AND ORS

VERSUS

MANIK SOMNATH KUTE

...

Mr. Suresh Walmikrao Munde, Advocate for Applicants.
Mr. K. N. Lokhande, AGP for Respondent-State.
Mr. Yash Pawar h/f. Mr. Ajeet Babanrao Kale, Advocate for Respondent.

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WITH
CIVIL APPLICATION NO. 13309 OF 2023
IN FAST/34794/2023

THE EXECUTIVE ENGINEER, L.I.D. ,OSMANABAD AND ORS

VERSUS

SHAMRAO DATTATRAYA KHULE

...

Mr. Suresh Walmikrao Munde, Advocate for Applicants.

...

WITH

CIVIL APPLICATION NO. 13310 OF 2023

IN FAST/34794/2023

THE EXECUTIVE ENGINEER, L.I.D. ,OSMANABAD AND ORS

VERSUS

SHAMRAO DATTATRAYA KHULE

...

Mr. Suresh Walmikrao Munde, Advocate for Applicants.

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CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 20th JUNE, 2025

PC.:-

1. Heard.
2. This application is filed, seeking withdrawal of amount deposited by the Applicant in this Court along with interest pursuant to the impugned judgment and award passed by the learned Reference Court under section 54 of the Land Acquisition Act. The Applicant is Original Claimant whose land came to be acquired by the Respondents.
3. Learned Advocate for the Applicant submits that in exactly identical matters arising out of same project and same notification, this Court has permitted withdrawal of 75% amount on furnishing undertaking and similar order be passed in this matter.

4. Considering that the Applicant/Original Claimant has lost their valuable land and the amount towards compensation is deposited in this Court and considering the fact that in identical matters, 75% amount is permitted to be withdrawn on the basis of an undertaking, this Court is inclined to allow this application.

5. Civil application is allowed.

6. Applicant is permitted to withdraw 75% of amount deposited on furnishing usual undertaking before the Registrar (Judicial) that in case the appeal is decided, Applicant will refund the amount.

CIVIL APPLICATION NO. 13306 OF 2023:-

7. List the matter on 4th July 2025.

CIVIL APPLICATION NO.13308 OF 2023:-

8. This is an application for stay to the impugned judgment and award. In view of the deposit of the entire amount pursuant to order dated 2nd November 2023, the interim relief is confirmed.

9. Civil application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)