



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

95 CIVIL APPLICATION NO. 3967 OF 2025
IN FA/3351/2017

Shivaji Santram Dudhal Died Thr His Lrs Nagarbai And Ors
Versus
The State Of Maharashtra, Through The Collector, Osmanabad And Ors
.....

AND
CIVIL APPLICATION NO. 3965 OF 2025
IN FA/3350/2017

Rukminbai Maruti Shembde (Mane)
Versus
The State of Maharashtra,
Through The Collector, Osmanabad and Ors
.....

In both the matters :

Shri. Laxmikant C. Patil, Advocate for Applicants
Shri. R. B. Dhaware, AGP for the Respondent / State.
Shri. S. B. Bhosale, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 15, 2025

PER COURT :-

- . These Applications are preferred for withdrawal of the amount deposited by Respondent No.3 / Acquiring Body with this Court.
2. It is submitted by the learned Advocate for the Applicants / Claimants that, in connected matters arising out of the same acquisition proceedings, this Court proceeded with C.A. No. 5572 of 2024 in First

Appeal No. 2625 of 2021, along with C.A. No. 5573 of 2024 in First Appeal No. 2623 of 2021, by order dated 20th June 2024, permitting similarly situated Claimants to withdraw the entire amount deposited by the Acquiring Body. He submits that, these Applications be allowed.

3. The learned AGP appears for Respondent Nos. 1 & 2. The Learned Advocate Mr. Bhosale appears for Respondent No.3-Acquiring Body and he does not dispute the aforesaid aspect.

4. The Applicants are the Claimants. The Appeals are filed by the Acquiring Body against the compensation enhanced by the learned Reference Court.

5. The Respondent No.3 - Acquiring Body has deposited 100% amount awarded by the learned Reference Court, pursuant to the order dated 02.08.2017.

6. On hearing both sides, and in view of the above-referred order, by which similarly situated Claimants have been permitted to withdraw the entire amount, the Applicants are permitted to withdraw 75% of the amount deposited by the Acquiring Body with interest accrued thereon, subject to the Applicants furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court. Remaining 25% amount, along with accrued interest thereon, be deposited in a Fixed Deposit Receipt (FDR)

in any Nationalized Bank on yearly basis, which shall be renewed from time to time till disposal of the Appeals.

7. Civil Applications are disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP