



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

**19 CIVIL APPLICATION NO. 4832 OF 2025
IN FA/1208/2021**

Changdeo Tatya Godase (died)
Thr Lrs Kalawati And OrsApplicants

VERSUS

The State Of Maharashtra
Through Collector, OsmanabadRespondent

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Mr. Patil Laxmikant C., Advocate for Applicants
Mr. Rajdeep D. Raut, AGP for Respondent Nos.1 and 2- State
Mr. Rahul A. Tambe, Advocate for Respondent No.3

.....

AND
**CIVIL APPLICATION NO. 7183 OF 2021
IN FA/1208/2021**

The Ex. Engineer, Irrigation
Department Strengthening Div. Omerga And OrsApplicants

VERSUS

Changdeo Tatya Godase (died)
Thr Lrs Kalawati And Ors.Respondents

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**WITH CIVIL APPLICATION NO. 7185 OF 2021
IN FA/1207/2021**

The Ex. Engineer, Irrigation
Department Strengthening Div. Omerga And OrsApplicants

VERSUS

Sakhubai Shajaji GodaseRespondent

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Mr. Tambe Rahul A., Advocate for Applicant
Mr. Rajdeep D. Raut, AGP for Applicant Nos.2 and 3
Mr. L. C. Patil, Advocate for the Respondents

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CORAM : NEERAJ P. DHOTE, J.
DATE : 28.04.2025

PER COURT :**[I] ORDER IN CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT :-**

1. This is an Application for withdrawal of the amount deposited by the Acquiring Body along with interest accrued thereon. The Appeal is filed by the Acquiring Body in respect of lands acquired for Storage Tank Dhotri in File No.1999/LNQ/CR-36.

2. Heard the learned Advocate for the Applicants, the learned Advocate for the Acquiring Body and the learned AGP for the Respondents – State.

3. There is no dispute that, this Court, in connected Appeals, which are arising out of the same acquisition proceedings for Storage Tank Dhotri in File No.1999/LNQ/CR-36, has permitted the Applicants / Claimants therein to withdraw the amount. A copy of the order dated 04/04/2025, passed in Civil Application No.3832/2025 in First Appeal No.1211/2021 is made available for perusal. The Application in hand is also arising out of the same Storage Tank and, therefore, the same course is to be followed. Hence, the Application is allowed in terms of the said order.

4. The Applicants are allowed to withdraw 75% of the amount with accrued interest deposited in this Court on furnishing usual undertaking and remaining 25% amount be invested in fixed deposits any Nationalized Bank to be renewed from time to time till disposal of the Appeal. Application is disposed off accordingly.

[II] ORDER IN CIVIL APPLICATIONS FOR STAY :-

1. These are the Applications to the effect and operation of the impugned Judgment and Award.

2. There is no dispute that, the Acquiring Body has deposited the entire amount under the Award along with interest accrued thereon. Therefore, the stay granted by the order dated 30/07/2021 is made absolute and the Applications are disposed off in terms of Prayer Clause – **B**.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025