IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 CIVIL APPLICATION NO. 12199 OF 2026
IN FA/1128/2026

Ram Shivram Balsure
VERSUS
The State Of Maharashtra Through The Collector Osmanabad

WITH
CIVIL APPLICATION NO. 1675 OF 2026
IN FA/1128/2026

The Executive Engineer Irrigation Project Majbutikaran Division Omerga
VERSUS
Ram Shivram Balsure And Ors.

AND
934 CIVIL APPLICATION NO. 12200 OF 2026
IN FA/1127/2026

Mahadeo Shivram Balsure
VERSUS
The State Of Maharashtra Through The Collector Osmanabad

WITH
CIVIL APPLICATION NO. 1671 OF 2026
IN FA/1127/2026

The Executive Engineer Irrigation Project Majbutikaran Division Omerga
VERSUS
Mahadeo Shivram Balsure And Ors.

AND
935 CIVIL APPLICATION NO. 12208 OF 2026
IN FA/1129/2026

Sidram Shivling Sakhare Died Thr Lrs Putalabai Shivling Sakhare
VERSUS
The State Of Maharashtra Through The Collector Osmanabad

WITH
CIVIL APPLICATION NO. 1673 OF 2026
IN FA/1129/2026

The Executive Engineer Irrigation Project Majabutikaran Division Omerga
VERSUS
Sidram Shivling Sakhare And Ors.

WITH
CIVIL APPLICATION NO. 12209 OF 2026
IN FA/1129/2026

Sidram Shivling Sakhare Died Thr Lrs Putalabai Shivling Sakhare
VERSUS
The State Of Maharashtra Through The Collector Osmanabad
...
Adv.L.R. Thakur h/f Mr.Patil Laxmikant C. for the Applicants.
Mr.A.R. Mulla h/f Mr.Radhakrushna Ingole for Respondent No.2 in CA/12208/2026 & Respondent No.3 in CA/12199/2026.
Dr.Kalpalata Patil Bharaswadkar, Addl. G.P., Mr.Kishor Hoke Patil & Ms.Vaishali Chaudhari, AGPs for the Respondent/State in their respective matters.
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CORAM : MANJUSHA DESHPANDE, J.
DATE : 29.10.2026

PER COURT :

APPLICATIONS FOR WITHDRAWAL OF AMOUNT

1. In all these Civil Applications filed by the claimants, a prayer is made for withdrawal of amount. It is submitted that the Acquiring Body has deposited 100% of the amount as directed by this Court while granting ad-interim stay to the judgment and award under challenge. In view of the deposit of the entire amount, the claimants are praying for withdrawal of the entire amount.

2. It is submitted that in similar First Appeals filed by the Acquiring Body arising out of the same land acquisition proceedings, the claimants have been allowed to withdraw 75% of the total amount deposited by the Acquiring Body.

3. Hence, on the ground of parity, the Applicants can also be permitted to withdraw 50% of the amount on furnishing usual undertaking and 25% upon furnishing the security/surety to the satisfaction of the Registrar (Judicial) of this Court. The balance 25% shall be invested in any nationalized bank.

4. Civil Applications stand disposed off.

APPLICATIONS FOR STAY

5. Since the 100% of the amount as directed by this Court while granting ad-interim stay has been deposited by the Applicant/Acquiring Body, the Civil Applications for stay are allowed in terms of Prayer Clause [B].

CIVIL APPLICATION NO. 12209 OF 2026

6. This Civil Application is filed by the claimants for bringing the legal heirs of Respondent No.1 in the Appeal, i.e., Sidram Shivling Sakhare on record. Respondent No.1 in the Appeal is survived by the legal heirs as stated in the title of the Civil Application. The copy of death certificate dated 11.02.2026 and the heirship certificate showing the names of the legal heirs is also annexed with the Civil Application.

7. In view thereof, the Civil Application is allowed by condoning the delay in terms of Prayer Clauses [B] [C] and [D].

8. Necessary amendment shall be carried out within a period of two weeks.

9. Accordingly, the Civil Application stands disposed of.

[MANJUSHA DESHPANDE, J.]