IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 FIRST APPEAL NO. 2658 OF 2026

The Executive Engineer (k.k.v.m.) Irrigation Project
VERSUS
Ramdas Baburao Dalave And Ors

WITH
CIVIL APPLICATION NO. 12806 OF 2026
IN FA/2658/2026

Ramdas Baburao Dalve
VERSUS
The State Of Maharashtra Through The Collector Osmanabad

WITH
CIVIL APPLICATION NO. 9407 OF 2025
IN FA/2658/2026

The Executive Engineer (k.k.v.m.) Irrigation Project
VERSUS
Ramdas Baburao Dalave And Ors

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Ms.Kulkarni Snehal Prashant for the Appellant & Applicant in CA/9407/2026.
Ms.Deepali Jape, AGP for the Respondent/State. .
Ms.Laxmi R. Thakur h/f Mr.Patil Laxmikant C., for Applicant in CA/12806/2026.

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CORAM : MANJUSHA DESHPANDE, J.
DATE : 29.10.2026

PER COURT :

APPLICATION FOR WITHDRAWAL OF AMOUNT

1. This Civil Application has been filed by the claimant for withdrawal of amount. The First Appeal is filed by the Acquiring Body challenging the Judgment and Award passed by the Reference Court

dated 13.12.2023. This Court, by order dated 03.09.2025, had granted ad-interim stay to the operation and execution of the impugned judgment and award, subject to deposit of amount under the award within a period of twelve weeks. The amount under the award has been deposited by the Acquiring Body on 28.08.2026. In view thereof, Civil Application has been filed by the claimant seeking withdrawal of the amount. A prayer is made seeking permission to withdraw the entire amount along with accrued interest thereon.

2. The learned Advocate for the Applicant/Claimant relies on the order passed by this Court on 17.01.2026, which permitted the claimant to withdraw 75% of the amount along with accrued interest. It is submitted that the order passed by this Court in Civil Application No.163 of 2026 arises out of the claimant whose land has been acquired in the same project.

3. In view of the parity claimed by the Applicant, the Civil Application of withdrawal of amount is allowed. The Applicant is permitted to withdraw 50% of the amount along with accrued interest on furnishing an undertaking and 25% of the amount is permitted to be withdrawn after furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. The balance amount shall be invested in any nationalised bank.

4. Accordingly, the Civil Application stands disposed off.

APPLICATION FOR STAY

5. In view of the amount deposited by the Appellant as directed by this Court, the ad-interim stay granted by this Court is confirmed. The Civil Application for stay is allowed in terms of Prayer Clause [A] and is accordingly disposed off.

FIRST APPEAL

6. **Admit.**

7. The learned Advocate for claimant waives service of notice.

8. Call Record and Proceedings from the concerned Court.

9. List the First Appeal on 21st January, 2027.

10. Print is dispensed with.

[MANJUSHA DESHPANDE, J.]