IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 10109 OF 2026
IN FAST/28320/2025

RAHUL SURESH TODKARI
VERSUS
THE COLLECTOR JALGAON AND OTHERS

WITH CIVIL APPLICATION NO. 13222 OF 2025
IN FAST/28320/2025 WITH CIVIL APPLICATION NO. 13223
OF 2025 IN FAST/28320/2025

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Advocate for Applicant : Mr. More Kumar Gaurav Madhav.
AGP for Respondent/s-State : Ms. K. S. Patil.
Advocate for Respective Respondents : Mr. Sandesh R. Patil.
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CORAM : MANJUSHA A. DESHPANDE, J.
DATE : 22.10.2026

PER COURT :-

1. Civil Application has been filed by the appellant/acquiring body for condonation of delay of 43 days in filing the First Appeal.

2. Considering the delay is of few days and satisfactory explanation, the delay of 43 days in filing the First Appeal is condoned. Civil Application for delay is allowed in terms of prayer clause “A”.

3. First Appeal be registered.

4. Pursuant to the order passed by this Court in the application for stay, the acquiring body has deposited the

amount of Rs.1,09,30,952/- on 24.09.2026 in this Court along with an amount of Rs.14,00,000/- which is deposited on 07.04.2026.

5. In view of the deposit of the total amount as directed by this Court, the stay application is allowed in terms of prayer clause "A". Civil Application is disposed of accordingly.

6. The claimants have filed the Civil Application for withdrawal of amount that is deposited by the acquiring body as a condition for grant of stay.

7. The entire decreetal amount has been deposited along with the interest in this Court. The application is filed for withdrawal of entire amount by the claimant. The applicant are relying on the order of this Court in First Appeal arising out of the same project and the same village to claim parity with the claimants with the said First Appeal Stamp No.28085 of 2025 along with connected appeals. This Court vide order dated 05.05.2026 has allowed the claimants to withdraw an amount of 75% on furnishing undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Thus, parity is claimed with the appellants in the aforementioned appeal.

8. Learned advocate for the acquiring body though opposed the withdrawal of entire amount does not dispute the order passed by this Court on 05.05.2026 arising out of the same project.

9. In view thereof, the Civil Application is allowed by permitting the applicant to withdraw 75% of the amount on furnishing undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

10. Civil Application for withdrawal of amount stands disposed of accordingly.

First Appeal

11. **Admit**.

12. Learned AGP waives service of notice for the respondents/State Authorities.

13. Call for Record and Proceedings from the concerned Court.

14. Print is dispensed with.

(MANJUSHA A. DESHPANDE, J.)

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