



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

**65 CIVIL APPLICATION NO. 6606 OF 2024
IN FAST/10984/2024**

**THE EXECUTIVE DIRECTOR GODAWARI MARATHWADA
IRRIGATION DEVELOPMENT CORPORATION AURANGABAD
AND ANR**

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR AND ORS

**WITH CIVIL APPLICATION NO. 6607 OF 2024
IN FAST/10984/2024 WITH CIVIL APPLICATION NO. 13530
OF 2025 IN FAST/10984/2024 WITH CIVIL APPLICATION NO.
13528 OF 2025 IN FAST/10984/2024**

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Advocate for Applicant/Acquiring Body : Mr. Kadu Shivraj B

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondents/Claimants : Mr. D. M. Pingle.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 13.01.2026

PER COURT :-

1. Applicants seek to withdraw the amount deposited by respondent/acquiring body.
2. For that purpose, it is informed that in similarly situated matter, entire amount was permitted to be withdrawn on certain conditions.
3. Learned counsel for the acquiring body informs that the amount with accrued interest of the present appeal has been deposited in FAST No.11039 of 2024. In that appeal, aggregate

amount of Rs.12,93,082/-was deposited. I propose to follow the same course as is done by the Co-ordinate Bench in FAST No.9418 of 2023.

4. Application for withdrawal of amount is allowed partly permitting to receive Rs.3,73,327/- which is deposited in FAST No.11039 of 2024.

5. Office shall disbursed 75% of the above referred amount with accrued interest on furnishing undertaking and 25% on furnishing solvent surety/security from the aforesaid first appeal.

Civil Application for Delay

6. Applicants seek to condone delay of 658 days in preferring appeal.

7. The averments have not been disputed by the respondents. There are no malafides. The delay stands condone.

8. Civil application is allowed.

First Appeal

9. **Admit.**

10. Learned AGP waives service of notice for respondents-State Authorities. Learned counsel Mr. Pingle waives service of notice for respondents/claimants.

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

12. Print is dispensed with.

13. Time of two (2) weeks is granted to carry out necessary amendment.

14. Both the parties shall be at liberty to carry out amendment within a period of two (2) weeks from today.

Civil Application for Stay

15. As the amount has been deposited in pursuance of the earlier order, ad-interim relief granted earlier shall stand confirm.

16. Civil application is disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-