



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 CIVIL APPLICATION NO. 399 OF 2026
IN FA/1790/2021
WITH
CIVIL APPLICATION NO. 8893 OF 2021
IN FA/1790/2021

KISAN RAMA CHAVAN (SINCE DECEASED) THR LRS. SANJAY KISAN
CHAVAN AND OTHERS.

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS COLLECTOR, OSMANABAD
AND ORS.

...

Advocate for Applicant : Ms. L.R. Thakur h/f Mr. Patil Laxmikant C.
AGP for Respondent Nos. 1 & 2 : Mr. S.N. Morampalle
Advocate for Respondent No. 3 : Mr. Mukul S. Kulkarni

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CORAM : SHAILESH P. BRAHME, J.

DATE : 12.01.2026

PER COURT :

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

1. Heard both sides.
2. The applicants seek to withdraw amount of Rs. 13,46,038/- deposited by the respondent-Acquiring Body. The learned counsel for the applicants relying on the order dated 12.12.2025 is praying for withdrawal of the amount.
3. The application is contested by the respondent-Acquiring Body. It is submitted that in earlier matter lesser amount was deposited. The applicant cannot be permitted to withdraw entire amount of compensation.
4. It reveals from record that built up area of 100 square meter has been acquired. In earlier matter also 50% of the amount was permitted to be

disbursed on furnishing solvent surety/security. If the same parameter is applied that will safe-guard the interest of the Acquiring Body. I propose to adopt the same course.

5. The Civil Application is partly allowed permitting the applicants to receive 50% of the amount of compensation with accrued interest on furnishing undertaking and balance 50% of the amount with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

CIVIL APPLICATION FOR STAY

6. As the entire amount has been deposited, *ad interim* relief granted earlier shall stand confirmed.

7. The Civil Application is disposed of.

(SHAILESH P BRAHME, J.)

mkd/-