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64 CA 404 OF 2026+

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

64 CIVIL APPLICATION NO. 404 OF 2026
IN FA/2918/2024

VENKAT @ AMBADAS GYANBA SHINDE DIED THROUGH LRS RAMDAS AND
ORS.

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE DIST COLLECTOR
OSMANABAD AND ORS.

WITH

FIRST APPEAL NO. 2917 OF 2024

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT MAJBUTIKARN
DIVISION, OMERGA AND ORS

VERSUS

BALI NAGAPPA BELE AND ORS

AND

65 CIVIL APPLICATION NO. 405 OF 2026
IN FA/2165/2025

NANARAO GANPATI JADHAV DIED THROUGH LRS MANIKBAI AND ORS.

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR OSMANABAD
AND ORS.

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Ms. Sakshi A. Kale h/f. Mr. A. B. Kale, Advocate for Applicants

Mr. S. N. Morampalle and Mr. N. D. Raje, AGP for Respondent-s/State in
respective matters

Mr. Mukul S. Kulkarni, Advocate for Respondent No.3

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CORAM : SHAILESH P. BRAHME, J.

DATE : 16.01.2026

PER COURT :-

. Applicants seek withdrawal of amount of Rs.1,61,79,993/- in Civil Application No.404 of 2026 and Rs.19,75,941/- in Civil Application No.405 of 2026 deposited by the acquiring body. The withdrawal is solicited on the ground of parity by pointing out order dated 25.09.2025 passed by this Court in Civil Application No.5789 of 2025 and connected matters. In that case also, this Court permitted the claimants to withdraw 75% of the deposited amount on furnishing undertaking while directing that the remaining 25% of the deposited amount be invested in a nationalized bank. I propose to follow the same course.

2. Civil Applications are allowed partly by permitting the applicants to receive 75% of the deposited amount with accrued interest on furnishing undertaking to the satisfaction of learned Registrar (Judicial) of this Court.

3. Remaining 25% of the deposited amount shall be invested in the fixed deposit of any nationalized bank, to be renewed from time to time till disposal of the amount.

(SHAILESH P. BRAHME, J.)