



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

**906 CIVIL APPLICATION NO. 1361 OF 2026
IN FAST/1142/2025**

**BALAPPA SO BASAPPA LAMJANE
VERSUS
THE STATE OF MAHARASHTRA**

**WITH CIVIL APPLICATION NO. 478 OF 2025
IN FAST/1142/2025**

...

Advocate for Applicant : Mr. Birajdar Someshwar Sanjay.
AGP for Respondent/s-State : Mr. S. N. Morampalle.
Advocate for Respondent No.3 : Mr. Mukul S. Kulkarni.

...

**CORAM : SHAILESH P. BRAHME, J.
DATE : 13.03.2026**

PER COURT :-

1. Heard the respective sides.
2. Applicant seeks to withdraw amount of Rs.1,25,78,422/- deposited by the respondent/acquiring body for the reasons stated in the application.
3. Respondent/acquiring body has deposited entire amount with accrued interest in this Court. My attention is adverted to order dated 03.10.2025 passed by the Co-ordinate Bench permitting the claimants to receive the amount deposited in this Court on furnishing undertaking. But in that case, only 60% of the amount was deposited by the acquiring body. It would be consistent in permitting the applicant in the present

case to receive 60% of the amount with accrued interest on furnishing undertaking.

4. Civil application for withdrawal is allowed partly by permitting the applicant to receive 60% of the amount with accrued interest on furnishing undertaking and balance amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

First Appeal

5. **Admit.**

6. Learned AGP waives service of notice for the respondents/State Authorities. Learned counsel Mr. Kulkarni waives service of notice for respondents/claimants.

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

8. Print is dispensed with.

Civil Application for Stay

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

10. Civil application is disposed of.

(SHAILESH P. BRAHME, J.)

...

vmk/-