



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

**CIVIL APPLICATION NO. 803 OF 2026
IN
FIRST APPEAL STAMP NO. 31789 OF 2023**

Bhartibai Hiralalsingh Rajput
Since deceased through her L.Rs.
Suresh Hiralalsingh Rajput and others .. Applicants

Versus

The State of Maharashtra, through
the Special Land Acquisition Officer
and another .. Respondents

Shri Suresh N. Surde, Advocate for the Applicants.
Shri N. D. Raje, A.G.P. for the Respondent No. 1.
Shri Ram B. Deshpande, Advocate for the Respondent No. 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 27TH JANUARY, 2026.**

FINAL ORDER :

. Heard both sides.

2. Applicants seek to withdraw amount of Rs. 1,20,29,334/-
deposited by the respondent No. 2 – acquiring body.

3. It is submitted that sizable land is acquired, which was
having trees also. The respondent has deposited only 75% of the
amount of compensation awarded by the Reference Court and it
is withholding 25% of the amount under the award. Hence

withdrawal of entire amount is solicited.

4. Mr. Deshpande, learned counsel for the respondent No. 2 – acquiring body would point out that exorbitant enhancement has been granted by the Reference Court from Rs. 590/- per R to Rs. 9,500/- per R. If the amount is disbursed, it would be difficult for the acquiring body to recover the same.

5. The amount which is sought to be withdrawn is to the extent of 75% of the amount under the award. The interest of the respondent – acquiring body has been safeguarded by keeping amount of 25% with it. Interest of justice would be subserved in permitting the applicants to receive 80% of the amount deposited on furnishing undertaking and remaining 20% of the amount deposited on furnishing solvent surety/security.

6. The civil application is allowed partly permitting the applicants to receive 80% of the amount deposited with accrued interest on furnishing undertaking and 20% of the amount deposited with accrued interest on furnishing solvent security/surety to the satisfaction of the Registrar (Judicial) of this Court. The civil application is disposed of.

[SHAILESH P. BRAHME J.]