



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

57 CIVIL APPLICATION NO. 2427 OF 2026
IN FAST/32843/2023
WITH
CIVIL APPLICATION NO. 2429 OF 2026
IN FAST/32843/2023

MAHADEO BAPURAO PADULE DIED HIS LRS CHANDRABAI MAHADEO
PADULE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR OSMANABAD AT
OSMANABAD

...
Advocate for Claimants : Mr. Madhav K. Jadhav h/f Mr. More Abhijit S.
AGP for Respondent nos. 1 & 2/State : Mr.N.D. Raje
Advocate for Respondent No. 3/Acquiring Body : Mr. R.K. Ingole

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60 CIVIL APPLICATION NO. 2435 OF 2026
IN FAST/22021/2024
WITH
CIVIL APPLICATION NO. 9682 OF 2024
IN FAST/22021/2024
WITH
CIVIL APPLICATION NO. 9683 OF 2024
IN FAST/22021/2024
WITH
CIVIL APPLICATION NO. 2436 OF 2026
IN FAST/22021/2024

AJINATH KRUSHNA SATPUTE (DIED) THR. HIS LRS SUBHASH AJINATH
SATPUR AND ORS.
VERSUS
THE STATES OF MAHARASHTRA THROUGH COLLECTOR OSMANABAD
AND ORS.

...
Advocate for Claimants : Mr. Madhav K. Jadhav h/f Mr. More Abhijit S.
AGP for Respondent nos. 1 & 2/State : Mr.N.D. Raje
Advocate for Respondent No. 3/Acquiring Body : Mr. R.A. Tambe

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CORAM : SHAILESH P. BRAHME, J.

DATE : 06.03.2026

PER COURT :**CIVIL APPLICATIONS FOR WITHDRAWAL OF AMOUNT :**

1. Heard both sides. The applicants are seeking withdrawal of amount deposited by the respondent-Acquiring Body. Reliance is placed on common order dated 23.12.2025, in which this Court permitted the claimants to receive the amount, as it was done in earlier matters. In the present appeals only 75% of the amount of compensation with accrued interest has been deposited.
2. The Acquiring Body has not been directed to deposit entire amount with accrued interest. Their interest is safe-guarded considering excess enhancement and unreasonable awarding of compensation. This Court has already taken a view which is reflected from common order dated 23.12.2025 in permitting the applicants to receive the amount. I propose to adopt the same course.
3. Civil Applications are partly allowed permitting the applicants to 75% of the amount deposited with accrued interest on furnishing undertaking. The applicants are also permitted to receive balance 25% of the amount deposited with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.
4. The Civil Applications are disposed of.

CIVIL APPLICATION NO. 2429/2026 IN FAST/32843/2023:

5. The applicants seek to condone delay of 1353 days in setting aside abatement, and bringing legal heirs of deceased claimant Mahadeo Bapurao Padule on record. The cause of action survives against the legal heirs of deceased claimant Mahadeo. They re necessary parties. There is no reason to infer any mala fides on the part of the heirs.

6. The delay stands condoned, abatement is set aside. Leave is granted to bring legal heirs of deceased claimant Mahadeo on record. Both parties are at liberty to carryout the amendment.

7. Civil Application is disposed of.

CIVIL APPLICATION NO. 2435/2026 IN FAST/22021/2024:

8. The applicants seek to condone delay of 6398 days in setting aside abatement, and bringing legal heirs of deceased claimant Sudhakar Ajinath Satpute on record. The cause of action survives against the legal heirs of deceased claimant Sudhakar Ajinath Satpute. They re necessary parties. There is no reason to infer any mala fides on the part of the heirs.

9. The delay stands condoned, abatement is set aside. Leave is granted to bring legal heirs of deceased claimant Sudhakar Ajinath Satpute on record. Both parties are at liberty to carryout the amendment.

10. Civil Application is disposed of.

CIVIL APPLICATION NO. 9682/2024 IN FAST/22021/2024

11. The applicant seeks to condone delay of 256 days in preferring appeal.

12. For the reasons stated in the application, it is desirable to condone delay.

13. The delay stands condoned. Civil Application is disposed of.

CIVIL APPLICATION NO. 9465/2024 IN FAST/20617/2024 FOR DELAY

14. The Acquiring Body seeks to condone delay of 49 days in preferring the appeal.

15. For the reasons stated in the application, the delay stands condoned.

16. Civil Application is disposed of.

CIVIL APPLICATIONS FOR STAY :

17. As the entire amount has been deposited by the Acquiring Body, interim relief granted earlier shall stand confirmed.

18. The Civil Applications are disposed of.

(SHAILESH P. BRAHME, J.)

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