



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**961 CIVIL APPLICATION NO. 4604 OF 2026
IN FAST/6427/2025**

RAJABHAU GUNDAPPA CHOUGULE
VERSUS

THE STATE OF MAHARASHTRA
WITH
**CIVIL APPLICATION NO. 2819 OF 2025
IN FAST/6427/2025**

THE EXECUTIVE ENGINEER CENTRAL RAILWAY STATION SOLAPUR
VERSUS

RAJABHAU GUNDAPPA CHAUGULE AND ORS
WITH
**CIVIL APPLICATION NO. 2820 OF 2025
IN FAST/6427/2025**

THE EXECUTIVE ENGINEER CENTRAL RAILWAY STATION SOLAPUR
VERSUS

RAJABHAU GUNDAPPA CHAUGULE AND ORS

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Advocate for applicant in all CAs : Mr. M.D. Shinde
AGP for the respondent – State : Mr. C.V. Bhadane
Advocate for respondent no. 3 : Mr. A.V. Soman (Through V.C.) h/f.
Mr. D.V. Soman

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CORAM : SHAILESH P. BRAHME, J.

DATE : 24 APRIL 2026

PER COURT :

Applicant seeks withdrawal of amount of Rs.17,73,306/-
deposited by the respondent – Acquiring Body.

2. It is contended that applicant's – claim is based upon his
brother's case who is adjoining land owner.

3. Submission is, enhancement is rational and the entire
amount needs to be disbursed.

4. Application is contested on the ground that 248 fruit bearing trees are shown in a small piece of land, which is impossible. The valuation of the trees is vulnerable.

5. The contentious issues are raised in the appeal. The fact remains that applicant's land having trees are under acquisition. Ends of justice would be met by permitting the applicant to receive part of the amount on certain conditions.

6. Application for withdrawal of amount is allowed partly.

7. Applicant is permitted to withdraw 75% of the amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank.

DELAY

8. Applicant seeks to condone delay of 589 days in preferring the first appeal.

9. For the reasons stated in the application and as no *mala fides* are noticed, the delay stands condoned. C.A. is disposed of.

STAY

10. As the Acquiring Body has deposited the entire amount, ad-interim stay stands confirmed. C.A. is disposed of.

**[SHAILESH P. BRAHME]
JUDGE**

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