



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

112 CIVIL APPLICATION NO. 3315 OF 2026
IN FA/914/2026

MANIK TUKARAM JADHAV

VERSUS

THE EX. ENGINEER, PATBANDHARE MAJBUTIKARAN
DIVISION, OMERGA AND ORS

WITH CIVIL APPLICATION NO. 3313 OF 2026
IN FA/913/2026

WITH CIVIL APPLICATION NO. 3723 OF 2020
IN FA/914/2026

WITH CIVIL APPLICATION NO. 3725 OF 2020
IN FA/915/2026

WITH CIVIL APPLICATION NO. 3729 OF 2020
IN FA/918/2026

WITH CIVIL APPLICATION NO. 3715 OF 2020
IN FA/913/2026

WITH CIVIL APPLICATION NO. 3719 OF 2020
IN FA/916/2026

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Advocate for Applicants : Ms. Mrunal Andhare h/f Mr. Kale
Ajeet B.

AGP for Respondent/s-State : Ms. P. V. Diggikar.
Advocate for Respondent No.3 : Mr. M. S. Kulkarni.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 21.04.2026

PER COURT :-

1. Heard the respective sides.
2. Applicants are seeking withdrawal of amount deposited by the respondent/acquiring body.

3. It is submitted by learned counsel for the applicants that in similarly circumstanced appeals, claimants were permitted to withdraw 75% of the amount on furnishing undertaking. The same course needs to be adopted in the present matters also.

4. Applications are contested by the respondent/acquiring body. It is submitted that the enhancement is huge and very unreasonable and arbitrary compensation has been awarded by the Reference Court. In the present matters the deposits are comparatively of a bigger figures.

5. I have gone through common orders passed by this Court on 19.06.2024 and 24.09.2025 permitting the claimants to receive 75% of the amount. Considering the submissions made by the acquiring body, entire amount cannot be permitted to be disbursed. The acquiring body has withheld 25% of the amount. Hence, the amount deposited can be disbursed to the applicants which would be in consonance with the consistent view being taken by this Court.

6. Applications for withdrawal are allowed partly.

7. The applicants shall be permitted to withdraw 75% on furnishing undertaking.

8. Balance amount shall be invested in any nationalized bank.

Civil Application for Stay

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

10. Civil applications for stay are disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-