



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

**965 CIVIL APPLICATION NO. 101 OF 2026
IN FAST/20785/2025**

DAGDU GANSING PATIL DIED HONSING GANSING PATIL
DIED THROUGH LRS 1 RAVINDRA HONSING PATIL DEVRE
AND OTHERS

VERSUS

THE COLLECTOR THROUGH THE SPECIAL LAND
ACQUISITION OFFICER M I W

**WITH CIVIL APPLICATION NO. 8327 OF 2025
IN FAST/20785/2025 WITH CIVIL APPLICATION NO. 8328 OF
2025 IN FAST/20785/2025 WITH CIVIL APPLICATION NO.
12471 OF 2025 IN FAST/20785/2025**

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Advocate for Applicant : Ms. Mrunal Andhare h/f Mr. Ajeet
Babanrao Kale.

AGP for Respondent/s-State : Mr. N. D. Raje.
Advocate for Respondent No.2 : Mr. A. D. Pawar.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 07.01.2026**

PER COURT :-

1. Applicant seeks to condone delay of 2900 days in preferring appeal.
2. The averments have not been controverted by the respondents. The condonation of delay and repercussions on the public exchequer, there is nothing to castigate the bonafides of the applicant. The delay stands condoned.
3. Civil application for delay is allowed.

First Appeal

4. **Admit.**

5. Learned AGP waives service of notice for respondent-State. Learned counsel Mr. Kale waives service of notice for respondents/claimants.

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

7. Print is dispensed with.

Civil Application for Stay

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

9. Civil application is disposed of.

Civil Application for Withdrawal

10. The applicants seek to withdraw amount of Rs.77,65,194/- deposited by the respondent/acquiring body.

11. It is brought to my notice that the award is that of Rs.99,55,377/-. Out of that Rs.21,90,183/- was already deposited with Reference Court and already disbursed to the claimants. The balance amount is deposited in this Court which is sought to be withdrawn. Applicants are claiming parity in disbursement of 75% of the amount on furnishing undertaking.

12. Parity in the strict sense cannot be made applicable to the case at hand because in case of Ranubai Shiva Jadhav the amount which was deposited in High Court was comparatively lesser to the extent of Rs.23,01,523/- and the total award in that case was that of Rs.29,50,670/-. In the present matter, already the amount is disbursed. Ends of the justice would be met in permitting the applicants to receive Rs.50,00,000/- further on furnishing undertaking.

13. Civil application is partly allowed by permitting the applicants to receive Rs.50,00,000/- on furnishing undertaking to the satisfaction of Presiding Officer of Reference Court.

14. It is clarified that the amount shall be transmitted to the Reference Court and undertaking shall be furnished to the satisfaction of Presiding Officer of the Reference Court.

(SHAILESH P. BRAHME, J.)

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vmk/-