



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12026 OF 2025
IN FAST/31494/2025

The Administrator Cidco
VERSUS
Radhabai Prabhulal Jaiswal

WITH CIVIL APPLICATION NO. 2386 OF 2026
IN FAST/31494/2025

Radhabai Prabhulal Jaiswal
VERSUS
The Administrator Cidco Chh Sambhajinagar

WITH CIVIL APPLICATION NO. 12027 OF 2025
IN FAST/31494/2025

The Administrator Cidco
VERSUS
Radhabai Prabhulal Jaiswal

Mr. S. V. Deshmukh, Advocate for Acquiring Body
Mr. D. M. Pingale, Advocate for Claimants
Mr. N. D. Raje, AGP for Respondents/State

CORAM : SHAILESH P BRAHME, J
DATE : MARCH 04, 2026

PC :

CIVIL APPLICATION FOR WITHDRAWAL

1. The Acquiring Body has deposited amount of Rs.1,18,70,800/-, which is sought to be withdrawn by the Applicant. It is pointed out that the Respondent had deposited only 70% of the amount in pursuance of the orders passed by this Court. The trend of this Court is in permitting the

claimants to receive 70% of the amount out of deposited amount on furnishing undertaking and balance amount on furnishing solvent surety/security. Hence, I propose to follow the same course. Therefore, I pass following order:

ORDER

- (i) Civil application for withdrawal of amount is partly allowed.
- (ii) The applicant shall be permitted to receive 70% of the deposited amount with accrued interest in furnishing undertaking and balance 30% amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial)

CIVIL APPLICATION FOR DELAY CONDONATION

- 2. The Acquiring Body seeks to condone delay of 154 days in preferring First Appeal.
- 3. Application has not been objected by the Respondents.
- 4. For the reasons stated in the application, delay stands condoned. Civil Application for delay is allowed.

FIRST APPEAL

- 5. Admit.
- 6. Learned AGP waives service of notice for Respondent/State.

Learned Counsel Mr. Pingale waives service of notice for respondents/claimants.

7. Call for record and proceedings from the concerned Court.

8. Print is dispensed with.

CIVIL APPLICATION FOR STAY

9. As the amount is deposited in pursuance to the orders of this Court, ad-interim relief granted earlier stands confirmed. Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)

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