



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 CIVIL APPLICATION NO. 12158 OF 2025
IN FA/984/2022
WITH
CIVIL APPLICATION NO. 4994 OF 2022
IN FA/984/2022

CHANDRAKANT S/O SAMBHA KADAM AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...
Advocate for Claimants : Ms. L.R. Thakur h/f Mr. Patil Laxmikant C.
AGP for State : Mr. S.N. Morampalle
Advocate for Acquiring Body : Mr. A.M. Gaikwad

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

DATE : 12.01.2026

PER COURT :

Learned counsel Mr. Shamsundar B. Patil prays for discharge his appearance for Acquiring Body. Another lawyer Mr. Gaikwad has caused appearance. Appearance of Mr. Patil stands discharged.

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

2. The applicants are praying for withdrawal of amount of Rs. 08,03,778/- deposited by the respondent-Acquiring Body. Reliance is placed on common order passed on 24.04.2023 passed by coordinate bench in Civil Application No. 5084/2023 with connected matter, permitting the claimants to receive 90% of the deposited amount with accrued interest. It is not disputed that under the self-same acquisition proceeding the claimants were permitted to receive the amount. I propose to follow the same course. It is informed that only 75% of the amount is deposited by the Acquiring Body.

3. The Civil Application is partly allowed permitting the applicants to receive 90% 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.

4. The Civil Application is disposed of.

FIRST APPEAL

5. Admit. Learned counsel Mr. Thakur h/f Mr. Patil waives service for the claimants. Learned A.G.P waives service for State.

6. Call for record and proceedings.

7. Print is dispensed with.

CIVIL APPLICATION FOR STAY

8. As the entire amount is deposited, ad interim relief granted earlier shall stand confirmed.

9. The Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-