



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

72 CIVIL APPLICATION NO. 12798 OF 2025
IN FA/3415/2023

SADASHIV CHANDRABHAN SURYAWANSHI.

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR OSMANABAD
AND ORS.

...

Advocate for Applicant : Mr. Praveen Baliram Rakhunde
AGP for Respondent nos. 1 & 2 : Mr. S.N. Morampalle
Advocate for Respondent No. 3 : Mr. Ram B. Deshpande

...

CORAM : SHAILESH P BRAHME, J.

DATE : 12.01.2026

PER COURT :

This is second application of the applicant seeking disbursement of amount of Rs. 7,43,016/- deposited by respondent-Acquiring Body in this Court. On earlier occasion the applicant was permitted to withdrawn 50% of the amount on furnishing undertaking.

2. The learned counsel for applicant points out that in almost all matters arising out of self-same acquisition process claimants were permitted to receive 50% of the amount on furnishing undertaking and balance amount on furnishing solvent surety/security. He would urge to follow the same principle in disbursing the further amount.

3. Learned counsel Mr. Deshpande opposes the submissions. He would submit that enhancement is more than ten times and the compensation has been enhanced arbitrarily. He would urge that at least 25% of the amount may be with held.

4. My attention is adverted to the common order dated 12.11.2025

passed by this Court in permitting to receive 50% of the amount with accrued interest on furnishing undertaking and balance 50% of the amount with accrued interest on furnishing solvent surety/security. It reveals that in almost all matters the same principles are followed. The applicants have received 50% of the amount on furnishing undertaking. The balance amount with accrued interest is sought to be withdrawn. The amount can be disbursed on condition of furnishing of solvent surety/security.

5. The Civil Application is allowed partly permitting the applicant to receive 50% of the amount with accrued interest on furnishing undertaking and balance amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

(SHAILESH P. BRAHME, J.)

mkd/-