



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 CIVIL APPLICATION NO. 889 OF 2026
IN FA/138/2026

KHULAS SHANKAR BIRAJDAR DIED PRABHAWATI KHULAS
BIRAJDAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Naiknavare Ramesh Vitthal
AGP for Respondent/s-State : Mr. S. V. Hange.
Advocate for Respondent No.3 : Ms. Geeta L. Deshpande.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 17.04.2026

PER COURT :-

1. Heard learned counsel for the applicant and learned AGP for respondent/State.
2. Applicant seeks to withdraw amount of Rs.45,24,368/- deposited by the respondent/acquiring body for the reasons stated in the application.
3. Learned counsel for the applicant tenders on record common order dated 03.11.2025 passed in connected matters permitting those claimants to receive 50% amount with accrued interest on furnishing undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial). It is contended that four Reference

applications were decided by common judgment by the Reference Court which is questioned in these appeals.

4. As the impugned judgment and award is common, the similarity of the circumstances is manifest. The claimants were permitted to receive the amount vide order dated 03.11.2025. This is left out matter and applicant also needs the same treatment and relief.

5. Application is allowed partly by permitting the applicant to receive 50% of the amount with accrued interest on furnishing undertaking and 25% of the amount along with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

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

(SHAILESH P. BRAHME, J.)

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vmk/-