



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

132 CIVIL APPLICATION NO. 1209 OF 2026

IN

FIRST APPEAL (ST) NO.1878 OF 2022

Ravsaheb Onkar Patil (deceased) Bebabai And Ors

VERSUS

The State Of Maharashtra Through The Collector, Jalgaon

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Advocate for Applicant : Adv. I. K. Wagh h/f Mr. Kale Ajeet B.

AGP for Respondents: Mrs. D. S. Jape

Advocate for Respondent No.3 : Mr. Rahul A Tambe

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 28.04.2026

PER COURT :

1. This is an Application by the Original Claimants, who are the Respondents in the First Appeal, for withdrawal of the entire 60% amount deposited by the Acquiring Body with this Court.

2. It is submitted by the learned Advocate for the Applicants that the First Appeal arises out of judgment dated 16.08.2018 passed by 2nd Joint Civil Judge, Senior Division, Jalgaon in LAR No.681/2009. The Division Bench of this Court by order dated 04.04.2025 in Civil Application No.3827 of 2025 in First Appeal No.1189 of 2021 have permitted the Applicants therein to withdraw entire 60% amount deposited by the Acquiring Body in connected Appeals arising out of the same acquisition proceedings. He tenders across the bar copy of the said order, and the Chart showing the Application numbers in which the Acquiring Body has deposited 60% amount. He submits that similar order be passed in these

Applications.

3. The learned Advocate for the Acquiring Body does not dispute the aspect that the Division Bench in similar matters have permitted the Applicants therein to withdraw the amount of compensation deposited by the Acquiring Body along with accrued interest on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. He submits that appropriate orders be passed.

4. The learned AGP submits that appropriate orders be passed.

5. This is the First Appeal by the Acquiring Body. The Acquiring Body has deposited 60% amount under the Award. When similarly placed Applicants / Claimants are permitted to withdraw the amount deposited by the Acquiring Body in similar matters arising out of the same acquisition proceedings, I see no legal impediment in allowing these Applications in terms of the said order of the Division Bench. Hence, the following order.

ORDER

(i) The Applicants are permitted to withdraw 60% amount of compensation, which is deposited by the Acquiring Body with this Court, along with the accrued interest thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

(ii) Application stands disposed off accordingly.

[SIDDHESHWAR S. THOMBRE J]