



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**906 CIVIL APPLICATION NO. 1361 OF 2026  
IN FAST/1142/2025**

**BALAPPA SO BASAPPA LAMJANE  
VERSUS  
THE STATE OF MAHARASHTRA**

**WITH CIVIL APPLICATION NO. 478 OF 2025  
IN FAST/1142/2025**

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Advocate for Applicant : Mr. Birajdar Someshwar Sanjay.  
AGP for Respondent/s-State : Mr. S. N. Morampalle.  
Advocate for Respondent No.3 : Mr. Mukul S. Kulkarni.

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**CORAM : SHAILESH P. BRAHME, J.  
DATE : 13.03.2026**

**PER COURT :-**

1. Heard the respective sides.
2. Applicant seeks to withdraw amount of Rs.1,25,78,422/- deposited by the respondent/acquiring body for the reasons stated in the application.
3. Respondent/acquiring body has deposited entire amount with accrued interest in this Court. My attention is adverted to order dated 03.10.2025 passed by the Co-ordinate Bench permitting the claimants to receive the amount deposited in this Court on furnishing undertaking. But in that case, only 60% of the amount was deposited by the acquiring body. It would be consistent in permitting the applicant in the present

case to receive 60% of the amount with accrued interest on furnishing undertaking.

4. Civil application for withdrawal is allowed partly by permitting the applicant to receive 60% of the amount with accrued interest on furnishing undertaking and balance amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

#### **First Appeal**

5. **Admit.**

6. Learned AGP waives service of notice for the respondents/State Authorities. Learned counsel Mr. Kulkarni 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 has been deposited in pursuance of the earlier order, ad-interim relief granted earlier shall stand confirm.

10. Civil application is disposed of.

**(SHAILESH P. BRAHME, J.)**

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vmk/-