



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

52 CIVIL APPLICATION NO. 1362 OF 2026
IN FAST/2542/2021
WITH
CIVIL APPLICATION NO. 1781 OF 2021
IN FAST/2542/2021
WITH
CIVIL APPLICATION NO. 1782 OF 2021
IN FAST/2542/2021

ZUMBAR BABU WAMAN AND ORS.

VERSUS

THE M.K.V.D.C., THR EX. ENGINEER, MED. PRO. OSMANABAD AND ANR.

...

Advocate for Applicant : Mr. Shekade Shashikant E.

Advocate for Respondent no. 1 : Mr. A. M. Gaikwad

A.G.P for Respondent no. 2 : Mr. S.N. Morampalle

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 04.02.2026

PER COURT :

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

1. The applicants seek to withdraw amount deposited by the respondent-Acquiring Body which is admittedly to the extent of 50% only. The coordinate bench permitted the claimants to receive the amount deposited in such a situation, which is evident from order dated 13.08.2025 passed in Civil Application No. 8650/2025 in FAST No. 2919/20 and connected matters. I, therefore, proceed to pass following order :

ORDER

(a) The Application is allowed.

(b) The entire amount deposited by the respondent Acquiring Body in this matter along with interest accrued thereon be transferred to the Court of the learned Principal District Judge, Beed, At Beed, for withdrawal and disbursement.

(c) The applicants/claimants or the Special Power of Attorney Holder, as the case may be, are permitted to withdraw the remaining amount of compensation alongwith interest accrued thereon, on furnishing usual undertaking to the satisfaction of the Registrar of the reference Court.

(d) The amount shall be disbursed to the applicants/claimants as per the apportionment mentioned in paragraph no.10 of the application.

(e) The Civil Application is disposed of.

CIVIL APPLICATION FOR DELAY CONDONATION

2. The applicants seek to condone delay of 529 days in preferring appeal.

3. For the reasons stated in the application, it is desirable to condone delay.

4. The delay stands condoned. The Civil Application is disposed of.

FIRST APPEAL

5. **Admit.** Learned counsel Shekade waives service for respondents/claimants

6. Call for record and proceedings.

7. Print is dispensed with.

CIVIL APPLICATION FOR STAY

8. As the entire amount has been deposited by the Acquiring Body, interim stay granted earlier shall stand confirmed.

9. The Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-