



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

67 CIVIL APPLICATION NO. 2488 OF 2026

IN FA/3019/2021

WITH

CIVIL APPLICATION NO. 2506 OF 2026

IN FA/3019/2021

KASHINATH SHANKAR INGLE (DIED) THROUGH HIS LEGAL REPR.
RUKMIN AND ORS.

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
OSMANABAD AND ORS.

...

Advocate for Applicant : Mr. Shinde Manoj Dharmaraj

AGP for Respondent nos. 1 & 2 : Mr. S.N. Morampalle

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CORAM : SHAILESH P. BRAHME, J.

DATE : 06.03.2026

PER COURT :

The applicants seek to condone delay of 2667 days in setting aside abatement and bring legal heirs of deceased Kashinath on record. The cause of action survives against the heirs of deceased Kashinath Shankar Ingle. They are necessary parties.

2. The delay stands condoned. The abatement is set aside. Leave is granted to bring legal heirs of deceased Kashinath Shankar Ingle on record. Both parties are at liberty to carryout the amendment.

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

3. The applicants seek to withdrawn Rs. 25,79,241/-. None appears for the Acquiring Body.

4. The Acquiring Body has deposited 80% of the amount only. This

Court has been consistently permitting the claimants/applicants to receive the amount on certain conditions. As 20% of the amount has been withheld, I find no difficulty in permitting the claimants/applicants to receive the deposited amount with accrued interest.

5. Civil Application is allowed partly permitting the applicants to receive 80% of the deposited amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar Judicial of this Court and 20% of the deposited amount with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

(SHAILESH P. BRAHME, J.)

mkd/-