



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

**CIVIL APPLICATION NO. 3824 OF 2026
IN FAST/20300/2020**

WITH

**CIVIL APPLICATION NO. 110 OF 2022
IN FAST/20300/2020**

WITH

**CIVIL APPLICATION NO. 108 OF 2022
IN FAST/20300/2020**

RAJENDRA S/O DHONDUSING RAJPUT

VERSUS

THE EXECUTIVE ENGINEER, M.I.W., JALGAON AND ANOTHER

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Advocate for Applicant : Mr. Bhandari Anand P.

AGP for Respondent No. 2 : Mr. N.D. Raje

Advocate for Respondent No. 1 : Mr. S.R. Dheple

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CORAM : RAJNISH R. VYAS, J.

DATE : 02TH APRIL, 2026

PER COURT :

1. The original claimant has preferred this application praying for permission to withdraw the amount deposited by the acquiring body.

2. Learned counsel for the applicant submitted that the compulsory acquisition of the land resulted in the deprivation of the immovable property. The compensation to him was not adequately paid. He submitted that the reference Court's award was challenged by the acquiring body in the present appeal and this Court vide order dated 28.06.2022, has granted ad-interim stay to the judgment impugned.

3. Learned counsel for the applicant has also submitted that in pursuance with order dated 28.06.2022, the acquiring body has deposited the part of the amount with the Registry of this Court.

4. Learned counsel for the acquiring body has resisted the application and has submitted that the issue involved in the First Appeal may ultimately affect the recovery of the amount from the claimant. He, therefore, requested to pass the suitable order.

5. Suffice to it to say claimant's property was acquired and part of the compensation was deposited in this Court. Part amount approximately to the tune of Rs. 40 Lakhs, is yet to be deposited. Since the claimant is deprived of his property, he is allowed to withdraw Rs. 85,23,792/- (Rupees eighty five lakhs twenty three thousand seven hundred ninety two) on furnishing usual undertaking. Civil Application is disposed of, accordingly.

(RAJNISH R. VYAS, J.)