



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 CIVIL APPLICATION NO. 3937 OF 2026
IN
FIRST APPEAL NO.2503 OF 2021

Rajendra Bhanudas Kshirsagar.

VERSUS

The State Of Maharashtra Through The Collector, Osmanabad And Ors.

WITH
CIVIL APPLICATION NO. 3938 OF 2026
IN
FIRST APPEAL NO.2505 OF 2021

Devai Bhanudas Kshirsagar.

VERSUS

The State Of Maharashtra Through The Collector, Osmanabad And Ors.

WITH
CIVIL APPLICATION NO. 3939 OF 2026
IN
FIRST APPEAL NO.2504 OF 2021

Vasudeo Bhanudas Kshirsagar.

VERSUS

The State Of Maharashtra Through The Collector, Osmanabad And Ors.

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Advocate for Applicant : Mr. Madhav K. Jadhav h/f Mr. More Abhijit S.

AGP for Respondents: Mr. R. B. Dhaware

Advocate for Respondent No.2 : Mr. Dhiraj P. Jethliya (Thr. VC)

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 04.05.2026

PER COURT :

1. The learned counsel for the acquiring body strongly contended that he has a strong case on merits. It is further submitted that, in the event

the claimant withdraws the amount, recovery would be very difficult. However, this Court has already taken a particular view in a similar matter and I find no reason to take different view. Therefore, I am passing the same order.

2. Heard learned Advocate for the applicants and learned Advocate for the Acquiring Body.

3. By way of this application, the applicants-original claimants are praying to allow them to withdraw part of amount of compensation deposited in the office of this Court. It is submitted that only 75% of the amount as per the award is deposited in the office of this Court along with interest. Learned Advocate for the applicant relies upon an order dated 09.08.2023 in Civil Application No. 5737 of 2023 in First Appeal No. 2776 of 2021. This Court by said order allowed the entire amount deposited in the office of this Court along with accrued interest. It is submitted that the said Civil Application is also arising from same project i.e. Seena Kolegaon Project in File No. 2009/LNQ/CR/24.

4. Learned Advocate for the respondent does not dispute said fact.

5. Considering the above, this application stands allowed. The applicants are permitted to withdraw the entire amount deposited in the office this Court along with accrued interest on filing usual undertaking.

6. The Civil Application stands disposed off.

[SIDDHESHWAR S. THOMBRE]
JUDGE