



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 CIVIL APPLICATION NO. 4170 OF 2026
IN FA/1093/2026

DIGAMBAR YESHWANT JADHAV DIED THROUGH LRS
KHANDU DIGAMBAR JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
OSMANABAD

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Advocate for Applicant : Mr. Patil Laxmikant C.
Addl. GP for Respondent/s-State : Mr. A. R. Kale.
Advocate for Respondent No.3 : Mr. Pramod A. Pisal.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 17.04.2026

PER COURT :-

1. Heard both sides.
2. Applicant seeks to withdraw amount of Rs.51,45,153/- deposited by the respondent/acquiring body for the reasons stated in the application.
3. In similar set of circumstances, Co-ordinate Bench permitted the claimants to receive the amount. A copy of the order dated 24.07.2023 is placed on record.
4. The application is contested by the respondents.

5. Present case is squarely covered by the view taken by this Court in permitting the claimants to receive the amount on identical conditions.

6. Civil application is allowed partly by permitting the applicant to receive 50% of the amount with accrued interest on furnishing undertaking and 25% of the amount along with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

7. Balance amount shall be invested in any nationalized bank.

(SHAILESH P. BRAHME, J.)

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vmk/-