



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 CIVIL APPLICATION NO. 4675 OF 2026
IN
FIRST APPEAL (ST) NO.30382 OF 2023

Vachalabai Tukaram Mane
VERSUS
The State Of Maharashtra Through Collector Osmanabad

WITH
CIVIL APPLICATION NO. 14649 OF 2023
IN
FIRST APPEAL (ST) NO.30382 OF 2023

The Executive Engineer, Irrigation Department Strengthening Division
Omerga
VERSUS
Vachalabai Tukaram Mane And Ors

WITH
CIVIL APPLICATION NO. 14650 OF 2023
IN
FIRST APPEAL (ST) NO.30382 OF 2023

The Executive Engineer, Irrigation Department Strengthening Division
Omerga
VERSUS
Vachalabai Tukaram Mane And Ors

WITH
CIVIL APPLICATION NO. 14652 OF 2023
IN
FIRST APPEAL (ST) NO.30388 OF 2023

The Executive Engineer Irrigation Project Strengthening Division,
Omerga, Dist Osmanabad
VERSUS
Shokuram Babaram Narsure Died Thro Lrs Vinayak And Ors

WITH
CIVIL APPLICATION NO. 14653 OF 2023
IN

FIRST APPEAL (ST) NO.30388 OF 2023

The Executive Engineer Irrigation Project Strengthening Division,
Omerga, Dist Osmanabad

VERSUS

Shokuram Babaram Narsure Died Thro Lrs Vinayak And Ors

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Advocate for Applicant : Mr. Santosh N. Patne

AGP for Respondents: Mr. S. B. Jadhav

Advocate for Respondent No.3 : Mr. Tambe Rahul A.

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 04.05.2026

PER COURT :

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

1. By this application, the applicants seek permission to withdraw the amount deposited.
2. Learned counsel for the applicants submits that, pursuant to the award passed by the learned Reference Court, the acquiring body has deposited 50% of the awarded amount. It is further submitted that the applicants are poor agriculturists whose house property came to be acquired and the proceedings are still pending. The applicants have not received compensation for the acquired property.
3. Learned counsel for the acquiring body, Mr. Tambe, strongly opposes the application and submits that if the applicants are permitted to withdraw the amount and if the appeal filed by the acquiring body is allowed, it would be very difficult to recover the said amount.
4. After considering the contents of the application, this Court is of

the view that the purpose would be served if the applicants are permitted to withdraw the amount, subject to furnishing an undertaking that in the event the appeal is allowed, they shall redeposit the amount with accrued interest.

5. In view of the above, the application is allowed.

6. The applicants are permitted to withdraw entire amount deposited by the acquiring body, along with accrued interest thereon, subject to filing an undertaking that they shall redeposit the amount with accrued interest, in case the matter is decided against them.

CIVIL APPLICATION FOR CONDONATION OF DELAY

7. These applications are filed for condonation of delay in filing respective First Appeals.

8. Considering the averments made in the applications, the same are allowed in terms of prayer clause "B".

CIVIL APPLICATION FOR GRANT OF STAY

9. These applications are filed for grant of stay to the effect, operation and implementation of the impugned orders.

10. Considering the fact that acquiring body has already deposited 50% of the amount awarded, the applications for grant of stay are allowed.

[SIDDHESHWAR S. THOMBRE]
JUDGE