



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

CIVIL APPLICATION NO. 4904 OF 2026
IN FA/239/2018

Nilkanth Baburao Ingale and Anr

..Applicants

Versus

The Executive Engineer,
Osmanabad Minor Irrigation Division,
Osmanabad And Ors

..Respondents

.....

Shri. Shahaji C. Nadare h/f. Shri. R. V. Naiknaware, Advocate for the
Applicants

Shri. Ruturaj C. Patil, Advocate for Respondent No.1

Shri. N. D. Batule, AGP for Respondent – State.

.....

CORAM : NEERAJ P DHOTE, J.

Dated : APRIL 24, 2026

PER COURT :-

1. This is the Application by the Claimants to withdraw the amount deposited by the Acquiring Body under the Award, along with the interest accrued thereon.

2. Heard both the sides.

3. The Land Acquisition Officer has determined the compensation at Rs.800/- per Are and the learned Reference Court has enhanced the same to Rs.7500/- per Are. The learned Advocate for the Claimants tendered across the bar copy of the order dated 09.03.2026 passed by

this Court in Civil Application No.2687/2026 in First Appeal No.849/2026, wherein similarly placed Claimants under the same project are permitted to withdraw 75% amount.

4. In view of the above, the following order is passed.

ORDER

- (i) The Application is allowed
- (ii) The Applicants are permitted to withdraw 75% of the amount under the Award deposited by the Acquiring Body, along with the interest accrued thereon, subject to furnishing undertaking against withdrawal of 50% and furnishing solvent surety / security against withdrawal of 25%, to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iii) Remaining 25% amount along with the interest accrued thereon be invested in Fixed Deposit in any Nationalized Bank initially for a period of two years and if required, the same be continued from time to time.
- (iv) Application stands disposed of.

(NEERAJ P. DHOTE, J.)