

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

**CIVIL APPLICATION NO. 9244 OF 2015
IN
FIRST APPEAL NO. 553 OF 2015**

Laxmibai w/o Manik Tandale & ors ...Applicants

versus

Godawari Marathwada Irrigation
Development Corporation, Aurangabad
through its Executive Engineer,
Minor Irrigation Division, Ambajogai,
Dist. Beed & ors ...Respondents

WITH

**CIVIL APPLICATION NO. 9245 OF 2015
IN
FIRST APPEAL NO. 548 OF 2015**

Dattatraya s/o Kisan Munde & ors ...Applicants

versus

Godawari Marathwada Irrigation
Development Corporation, Aurangabad
through its Executive Engineer,
Minor Irrigation Division, Ambajogai,
Dist. Beed & ors ...Respondents

WITH

**CIVIL APPLICATION NO. 9246 OF 2015
IN
FIRST APPEAL NO. 549 OF 2015**

Chandrakant s/o Sugriv Tandale & ors ...Applicants

versus

Godawari Marathwada Irrigation
Development Corporation, Aurangabad
through its Executive Engineer,
Minor Irrigation Division, Ambajogai,
Dist. Beed & ors ...Respondents

WITH
CIVIL APPLICATION NO. 9248 OF 2015
IN
FIRST APPEAL NO. 551 OF 2015

Babu s/o Maruti Tandale & ors ...Applicants

versus

Godawari Marathwada Irrigation
Development Corporation, Aurangabad
through its Executive Engineer,
Minor Irrigation Division, Ambajogai,
Dist. Beed & ors ...Respondents

WITH
CIVIL APPLICATION NO.9249 OF 2015
IN
FIRST APPEAL NO. 552 OF 2015

Ashrubha s/o Bhagwan Tandale
died through Lrs.
Ganesh s/o Ashrubha Tandale & anr ...Applicants

versus

Godawari Marathwada Irrigation
Development Corporation, Aurangabad
through its Executive Engineer,
Minor Irrigation Division, Ambajogai,
Dist. Beed & ors ...Respondents

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Mr. S.S. Kulkarni, Advocate for applicants-claimants
Mr. B.R. Surwase, Advocate for respondent No.1-acquiring body
Mr. G.R. Ingole, A.G.P. for respondent-State

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CORAM : N.W. SAMBRE, J.

DATE : 7th AUGUST, 2015

ORAL ORDER :

These are the applications for withdrawal of the amount. Mr. Surwase, learned Counsel and learned A.G.P. opposes the applications on the ground that the reference Court has awarded exorbitant compensation.

2. The award is in favour of the present applicants. It is in nobody's interest to keep the amount idle. At the same time, the amount deposited needs to be safeguarded.

3. As such, the applicants are allowed to withdraw 80% of the amount on furnishing undertaking before the Executing Court, with whom the amount is deposited, that in the event if the appeals are allowed and the applicants are required to re-deposit the amount, they shall deposit the same.

4. Remaining amount of 20% be kept in Fixed Deposit of any Nationalized Bank.

5. Civil Applications stand disposed of.

[N.W. SAMBRE, J.]