

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

CIVIL APPLICATION NO.9091 OF 2015
IN
FIRST APPEAL NO.520 OF 2015

Rajendra @ Rajaram Babu Lamb and
another

..Applicants

Versus

Godavari Minor Irrigation Development
Corporation, through its Executive
Engineer and ors.

..Respondents

- WITH -

CIVIL APPLICATION NO.9092 OF 2015
IN
FIRST APPEAL NO.529 OF 2013

Savala Sukhdeo Tandale
died, through his L.Rs.
Vishnu s/o Savala Tandale
and ors.

..Applicants

Versus

Godavari Minor Irrigation Development
Corporation, through its Executive
Engineer and ors.

..Respondents

- WITH -

CIVIL APPLICATION NO.9093 OF 2015
IN
FIRST APPEAL NO. 522 OF 2015

Babu Tatya Shingare
died, through his L.Rs.
Gahininath Baburao
Shingare and ors.

..Applicants

Versus

Godavari Minor Irrigation Development
Corporation, through its Executive
Engineer and ors.

..Respondents

Mr Shrikant Kulkarni, Advocate for applicants
Mr B.R. Surwase, Advocate for respondent No.1
Mr G.R. Ingole, A.G.P. for respondent No.2 & 3

CORAM : N.W. SAMBRE, J.

DATE : 5th August 2015

PER COURT

1. These are the applications for withdrawal of the amount. Mr Surwase, learned Counsel and learned A.G.P. opposes the application 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 submitting undertaking to this Court that in the event if the appeal is allowed and the applicants are required to deposit the amount, they shall deposit the same. The undertaking be furnished before the Court before which the appellants have deposited the amount.
4. Remaining amount of 20% be kept in Fix Deposit of any Nationalized Bank.
5. Civil Applications stand disposed of.

(N.W. SAMBRE, J.)

vvr