

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

CIVIL APPLICATION NO. 3677 OF 2017
IN FA/1778/2014

SOPAN GOPAL KUTWAD (DIED) THR LRS KAUSHALYABAI AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, LATUR AND
ORS.

WITH
CIVIL APPLICATION NO. 3678 OF 2017
IN FA/1780/2014

NAMDEO GOPAL KUTWAD (DIED) THR LRS NANDKUMAR (DIED) THR
LRS DIAVASHALA N KUTWAD A
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, LATUR AND
ORS

WITH
CIVIL APPLICATION NO. 3679 OF 2017
IN FA/2316/2014

NARAYAN NIVRUTTI KOLHE (DIED) THR LRS GETABAI AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, LATUR AND
ORS

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Advocate for Applicants : Shri Patil Laxmikant C.
AGP for Respondents: Shri S.P.Sonpawale.
Advocate for Respondents : Shri S. G. Sangle for R/1.

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CORAM: V.K. JADHAV, J.
DATE :- 07th April, 2017.

Per Court:

1 Heard. Perused the order dated 11.09.2011 passed by the

learned Division Bench of this Court in Civil Application No.11629/2015 with connected matters. The said order was passed relying upon the order passed in Civil Application No.9727/2015 by the learned Single Judge. The order has been passed by the learned Single Judge after giving hearing to all the parties. Considering the reasons recorded in the said order, the instant applications also deserve to be allowed and the same are accordingly, allowed.

2 The Applicants are permitted to withdraw 50% of the amount out of the amount deposited by the acquiring body in this Court on furnishing an undertaking to the effect that in the event of success of appeal/s, they shall redeposit the amount within a period of three months from such decision. The Applicants shall also be permitted to withdraw 25% of the amount out of the amount deposited by the acquiring body in this Court on furnishing a solvent security for the like amount, and balance 25% shall be permitted to be withdrawn on furnishing a bank guarantee of any scheduled or nationalized bank.

3 With the directions as above, the Civil Applications are disposed of.

(V.K. JADHAV, J.)