

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

CIVIL APPLICATION NO. 9395 OF 2017 IN FA/2881/2015

MOHAN GAJEBA @ GAJABA GHARE
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA
AND ORS

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Advocate for Applicant : Mr Patunkar Swapnil S
AGP for Respondents: Mr S G Karlekar
Advocate for Respondents :P. P. Kulkarni & S. G. Bhalerao For R/1
G.p. For R/2

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CORAM : V.K. JADHAV, J.
Dated: July 21, 2017
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PER COURT :-

1. Learned counsel for the applicant submits that this Court has permitted the agriculturists from the same award to withdraw certain amount on certain conditions. Learned counsel submits that the applicants may be permitted to withdraw the amount on the same conditions.
2. Learned counsel for respondent acquiring body has not disputed this position and submits that the acquiring body has no objection if the applicants are permitted to withdraw the amount as per the order dated 23.6.2017.
3. In view of the above and for the reasons stated in the civil application, the applicants herein are also permitted to withdraw 50% amount on furnishing undertaking and 25% amount on furnishing solvent security/surety to the satisfaction of Registrar Judicial of this court. Remaining 25% amount be invested in fixed deposit in any nationalized bank, initially for a period of three years and fixed deposit be renewed thereafter from time to time till the disposal of first appeal. Civil application for withdrawal of amount is disposed of.

(V.K. JADHAV, J.)

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