

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

**20 CIVIL APPLICATION NO. 13844 OF 2017
IN FA/2888/2016**

NANASAHEB SAKHARAM GIRAM AND ANR
VERSUS
THE EX. ENGINEER, LOWER DUDHNA PROJECT, SELU NOW EX.
ENGINEER, JALNA IRRIGATION D

...

Advocate for Applicants : Mr. D.M. Kakade
Advocate for Respondent No. 1 : Mr. B.A. Shinde
AGP for Respondents No. 2 and 3: Mr. S.R. Yadav

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**21 CIVIL APPLICATION NO. 13845 OF 2017
IN FA/865/2016**

RAMESHWAR SAMPATRAO MIRGE
VERSUS
THE EX. ENGINEER, LOWER DUDHNA PROJECT, SELU NOW EX.
ENGINEER, JALNA IRRIGATION D

...

Advocate for Applicants : Mr. D.M. Kakade
Advocate for Respondent No. 1 : Mr. S.G. Bhalerao
AGP for Respondents No.2 and 3: Mr. S.S. Dande

...

WITH

WITH CA/13846/2017 IN FA/866/2016

...

**22 CIVIL APPLICATION NO. 13847 OF 2017
IN FA/1718/2016**

ACHHUT SAGANAJI GIRAM AND OTHERS
VERSUS
THE EX. ENGINEER, LOWER DUDHNA PROJECT, SELU NOW EX.
ENGINEER, JALNA IRRIGATION D

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Advocate for Applicants : Mr. D.M. Kakade
Advocate for Respondent No. 1 : Mr. B.R. Survase
AGP for Respondents No.2 and 3: Mr. S.R. Yadav

...

WITH

WITH CA/13849/2017 IN FA/1987/2016
WITH CA/13850/2017 IN FA/1614/2016
WITH CA/13851/2017 IN FA/1986/2016
WITH CA/13852/2017 IN FA/1985/2016

...

**23 CIVIL APPLICATION NO. 13858 OF 2017
IN FA/1300/2016**

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Advocate for Applicants : Mr. D.M. Kakade
Advocate for Respondent No. 1 : Mr. A.M. Gaikwad
AGP for Respondents No.2 and 3: Mr. S.S. Dande

...
WITH
WITH CA/13859/2017 IN FA/1295/2016
WITH CA/13860/2017 IN FA/1301/2016
WITH CA/13861/2017 IN FA/1299/2016
WITH CA/13862/2017 IN FA/1296/2016

...
**24 CIVIL APPLICATION NO. 13863 OF 2017
IN FA/1801/2016**

SAMPATRAO DAJIBA MIRGE DECEASED THR LRS MURLIDHAR
ANDOTHERS
VERSUS
THE EX. ENGINEER, LOWER DUDHNA PROJECT, SELU NOW EX.
ENGINEER, JALNA IRRIGATION D

Advocate for Applicants : Mr. D.M. Kakade
Advocate for Respondent No. 1 : Mr. R.R.Tandale
AGP for Respondents No.2 and 3: Mr. B.V. Virdhe

...
WITH CA/13865/2017 IN FA/1799/2016
WITH CA/13866/2017 IN FA/1797/2016
WITH CA/13867/2017 IN FA/1800/2016
WITH CA/13869/2017 IN FA/1798/2016

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**25 CIVIL APPLICATION NO. 13871 OF 2017
IN FA/1881/2016**

BAINABAI RAMBHAU MIRGE
VERSUS
THE EX. ENGINEER, LOWER DUDHNA PROJECT, SELU NOW EX.
ENGINEER, JALNA IRRIGATION D

...
Advocate for Applicants : Mr. D.M. Kakade
Advocate for Respondent No. 1 : Mr. R.C. Patil
AGP for Respondents No. 2 and 3: Mr. A.M. Phule

...
WITH CA/13872/2017 IN FA/1856/2016
WITH CA/13874/2017 IN FA/1857/2016
WITH CA/13875/2017 IN FA/1851/2016
WITH CA/13878/2017 IN FA/1853/2016
WITH CA/13879/2017 IN FA/1852/2016
WITH CA/13880/2017 IN FA/1855/2016
WITH CA/13881/2017 IN FA/3079/2016
WITH CA/13882/2017 IN FA/1854/2016

CORAM : K.K. SONAWANE, J.

DATED : 20th NOVEMBER, 2017.

Order :-

1. Heard learned counsel for the applicants-original claimants as well as learned counsel for respondent-Acquiring Body and learned AGP for respondent -State Authorities.
2. Admittedly, the appeals came to be withdrawn by respondent-Acquiring Body as per respective orders of this Court. Initially, claimants were allowed to withdraw 75% of the amount deposited on behalf of Acquiring Body on furnishing undertaking and rest of the 25% was kept in FDR accounts till decision of the appeals on merit.
3. As referred supra the proceedings of all appeals are disposed of at the instance of appellant-Acquiring Body and not survived for judicial process. There would not be dispute remained subjudice before this Court in regard to determination of market value of the land under acquisition. Therefore, there is no impediment to allow the applicants for withdrawal of amount lying in this court deposited by Acquiring Body.
4. Accordingly, applications stand allowed in terms of prayer clause "B". The rest of amount remained to be paid to applicants-original claimants in the appeals are hereby allowed to be withdrawn by the claimants. The Registry to do the needful for compliance of order.
5. Accordingly, civil applications stand disposed of.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK