

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 234 OF 2017
IN
FIRST APPEAL NO. 2718 OF 2015

BHASKAR ANNASAHEB FATNGARE AND OTHERS
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 235 OF 2017
IN
FIRST APPEAL NO. 2721 OF 2015

ARUN HAUSABAL SURVE
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 237 OF 2017
IN
FIRST APPEAL NO. 2722 OF 2015

VIJAY GANGADHAR SURVE AND ANOTHER
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 231 OF 2017
IN
FIRST APPEAL NO. 2724 OF 2015

VASANTRAO SHANKARRAO SURVE
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 228 OF 2017
IN
FIRST APPEAL NO. 2725 OF 2015

DEEPAK KHASHERAU WAMAN
VERSUS

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THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 241 OF 2017
IN
FIRST APPEAL NO. 2726 OF 2015

VIJAY VISHWASRAO @ VISHWANATH AMBRE
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 229 OF 2017
IN
FIRST APPEAL NO. 2727 OF 2015

MADHUKAR RAMCHANDRA ADHBHAI AND ANOTHER
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 232 OF 2017
IN
FIRST APPEAL NO. 2729 OF 2015

SHANTARAM NARAYAN KADLAG
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 233 OF 2017
IN
FIRST APPEAL NO. 2733 OF 2015

RAMNATH RAOSAHEB SURVE AND OTHERS
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 239 OF 2017
IN
FIRST APPEAL NO. 2734 OF 2015

KACHARU SHANKAR PAWAR
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 230 OF 2017
IN
FIRST APPEAL NO. 2736 OF 2015

RAOSAHEB JAIRAM DESHMUKH
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 240 OF 2017
IN
FIRST APPEAL NO. 2738 OF 2015

SINDHUBAI SAMPAT FATANGARE
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

WITH
CIVIL APPLICATION NO. 238 OF 2017
IN
FIRST APPEAL NO. 2741 OF 2015

CHHABU SHANKAR PAWAR
VERSUS
THE EXECUTIVEENGINEER, URDHAVA PRAVARA CANALDIVISON,
GHULEWADI AND ANOTHER

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Advocate for the applicant: Mr. D.A. Bide
Advocate for respondent No.1: Mr A. M .Gaddime
A.G.P. for respondent-State: Mr. A.M. Phule, S.S. Dande, Mr. S.N.
Morampalle.
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CORAM : V. K. JADHAV, J.
DATED : 25th JULY, 2017

PER COURT:-

1. Learned counsel for the applicants submits that in the connected appeals, arising out of the same acquisition proceedings, preferred by the acquiring body, this court by order dated 18.2.2016 permitted the applicants/original claimants therein to withdraw the amount on certain

conditions. Learned counsel submits that the applicants herein may also be permitted to withdraw the compensation amount on the same conditions.

2. Learned counsel appearing for the respondent acquiring body submits that so far as the common judgment and award passed by the Reference Court under challenge in the present appeals is concerned, the same is passed by the Reference Court on the basis of judgment and award passed by the Reference Court, which is under challenge in the appeals dealt with by this Court by order dated 18.2.2016, so far as withdrawal of compensation is concerned.

3. In view of above, the applicants herein are also permitted to withdraw the amount on the same conditions as per the order dated 18.2.2016. The applicants are permitted to withdraw 75% amount after giving undertaking to the satisfaction of the executing Court and the remaining 25% after giving solvent surety to the satisfaction of executing court. The amount under award deposited in this Court shall be transferred to the executing court. Civil applications for withdrawal of amount are disposed of.

4. Place the first appeals alongwith other connected first appeals on 23.8.2017.

(V. K. JADHAV, J.)