

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

**39 CIVIL APPLICATION NO. 7479 OF 2017
IN FA/2739/2015**

**RAJENDRA SAHEBRAO DESHMUKH
VERSUS
THE EXECUTIVE ENGINEER, URDHAVA PRAVARA CANAL DIVISION,
GHULEWADI AND ANOTHER
WITH
39 CIVIL APPLICATION NO. 7481 OF 2017
IN FA/2723/2015**

**SAMBHAJI HAUSABAL WAMAN
VERSUS
THE EXECUTIVE ENGINEER, URDHAVA PRAVARA CANAL DIVISION,
GHULEWADI AND ANOTHER
WITH
39 CIVIL APPLICATION NO. 7482 OF 2017
IN FA/2719/2015**

**KISAN SAVLAERAM LAWARE, THROUGH LRS. BABAI KISAN LAWARE
AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER, URDHAVA PRAVARA CANAL DIVISION,
GHULEWADI AND ANOTHER
Advocate for Applicants : Mr. Bide Dnyaneshwar A
AGP for Respondents State: Mr. A. M. Phule
Advocate for Respondent No.1 : Mr. A. N. Gaddime**

CORAM : K. L. WADANE, J.

DATE : 9th October, 2017

ORDER:

1. These civil applications are filed for permission to withdraw the amount deposited by the acquiring body. Both the sides are heard.

2. Learned counsel for the acquiring body has objection. He submits that the sale instance was not comparable as it was not of the date previous to the

date of notification. This Court has gone through the judgment and Award and reasoning given by the Reference Court. This Court holds that permission can be granted to withdraw 75% amount after giving undertaking and remaining 25% amount after giving solvent surety in that regard. In those terms, all the applications are allowed and disposed of.

3. Amount to be sent to the Reference Court where the execution proceedings are filed.

(K. L. WADANE, J.)

JPC