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

**CIVIL APPLICATION NO. 10288 OF 2011**  
**IN**  
**FIRST APPEAL NO.1380 OF 2014**

The Executive Engineer, Irrigation Division,  
Osmanabad-Latur

APPELLANT

VERSUS

Mathurabai Prabhu Jawale and Others

RESPONDENTS

**WITH**  
**CIVIL APPLICATION NO. 10296 OF 2011**  
**IN**  
**FIRST APPEAL NO.1379 OF 2014**  
**WITH**  
**CIVIL APPLICATION NO. 10292 OF 2011**  
**IN**  
**FIRST APPEAL NO.1381 OF 2014**  
**WITH**  
**CIVIL APPLICATION NO. 10294 OF 2011**  
**IN**  
**FIRST APPEAL NO.1382 OF 2014**

.....  
Mr. S. V. Kurundkar, Advocate for the appellant  
Mr. M. R. Malpani h/f Mr. A. B. Kale, Advocate respondents  
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**[CORAM : SUNIL P. DESHMUKH, J.]**

**DATE : 4<sup>th</sup> MAY, 2018**

**ORDER :**

1. Not on board. Mentioned. Taken on board.
2. Learned advocate for the applicant / acquiring body states that the amount under award is ready and the applicant intends

to deposit the same in this court stating that cheque has already been issued by the acquiring body for depositing the amount. He, therefore, requests to grant interim relief and direction to the office to accept the tender of amount.

3. Learned advocate Mr. M. R. Malani holding for Mr. A. B. Kale, appearing for the respondent – claimants, has no particular objection for directing the office to accept the tendered payment, however, he submits that amount sought to be deposited may not cover interest up to date.

4. In the circumstances, leaving the contentions with respect to calculations open, office to accept the tender of payment if made by 15<sup>th</sup> May, 2018.

5. There shall be interim relief in terms of prayer clause “B” until further orders. Civil applications accordingly stand disposed of.

**[SUNIL P. DESHMUKH, J.]**