

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

**3 CIVIL APPLICATION NO. 11455 OF 2018
IN FAST/31216/2017**

**RAOSAHEB GOVIND PATIL
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANABAD THR GMDC, AURANGABA**

WITH

**WITH CA/11456/2018 IN FAST/31322/2017
WITH CA/11457/2018 IN FAST/31313/2017
WITH CA/11458/2018 IN FAST/31310/2017
WITH CA/11459/2018 IN FAST/31319/2017
WITH CA/11460/2018 IN FAST/31306/2017
WITH CA/11461/2018 IN FAST/31316/2017
WITH CA/11462/2018 IN FAST/31302/2017**

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**Advocate for Applicant : Mr. Naiknavare Ramesh V.
Advocate for Respondent No. 1 : Mr. V. P. Kadam
AGP for Respondent No. 2 : Mr. A.P. Basarkar**

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CORAM : SUNIL K.KOTWAL, J.

DATE : SEPTEMBER 26, 2018

O R D E R :

These applications are filed by Original Claimants for withdrawal of compensation amount deposited in First Appeals. Learned counsel for acquiring body objected for withdrawal of the amount. However, after going through the award, it emerges that

only enhancement of Rs. 1925/- for dry lands and Rs. 3,850/- for irrigated lands are awarded by the Trial Court.

2. In the circumstances, it is desirable to allow withdrawal of reasonable amounts to the Claimants. Therefore, permission is granted to the Claimants to withdraw 50% amount out of deposited compensation amount with interest thereon, subject to filing of written undertakings in First Appeals, within four weeks from the date of this order that they would re-deposit the said amount in this Court as and when directed by this Court.

3. Remaining amount of 25% be refunded on furnishing solvent surety for the said amount subject to the satisfaction of the Registrar (Judicial). Remaining amount be invested in Fix Deposit in any National Bank.

4. Registrar (Judicial) to act accordingly.

5. Civil application is disposed of.

[**SUNIL K.KOTWAL, J.**]

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