

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

**CIVIL APPLICATION NO. 12678 OF 2018
IN**

**FIRST APPEAL NO. 2738 OF 2018
WITH FA/2736/2018 WITH FA/2739/2018
WITH CA/12679/2018 IN FA/2737/2018
WITH CA/12680/2018 IN FA/2741/2018
WITH CA/12681/2018 IN FA/2740/2018
WITH CA/12746/2018 IN FA/2718/2018
WITH CA/12747/2018 IN FA/2716/2018
WITH CA/12748/2018 IN FA/2722/2018
WITH CA/12749/2018 IN FA/2721/2018
WITH CA/12750/2018 IN FA/2720/2018
WITH CA/12751/2018 IN FA/2719/2018
WITH CA/12752/2018 IN FA/2717/2018**

Bhalchandra Pandurang Dharurkar.

Applicants.

Versus

Executive Engineer, Minor Irrigation
Department, Osmanabad & others.

Respondents.

Mr. S.A. Wakure, Advocate for the applicants.

Mr. R.C. Patil, Advocate for respondent / Acquiring Body.

CORAM : SUNIL K. KOTWAL,J.

Dated : 11th December 2018.

ORDER :-

. Heard learned Counsel for the applicants and learned Counsel for the Acquiring Body. Learned Counsel for Acquiring Body has pointed out that the learned Reference Court has committed certain errors while awarding the interest.

2. No doubt, at this premature stage no opinion can be expresses on merits of the matter. However, keeping in mind the error pointed out by the learned Counsel for the Acquiring Body, the applicants in Civil Applications are allowed to withdraw 50% amount out of the deposited amounts in the respective appeals, on furnishing written undertakings by them within a period of eight weeks from today, to deposit the withdrawn amount as and when directed by this court. Out of remaining amount, the respective applicants are permitted to withdraw 25% amount, subject to filing of solvent securities for the said amount to the satisfaction of the Registrar (Judicial), within a period of eight weeks from today. The remaining amount shall be invested in fixed deposit in any Nationalized Bank till final disposal of the appeals.

3. Registrar (Judicial) to act accordingly.

5. Civil Applications are disposed of.

**(SUNIL K. KOTWAL)
JUDGE**