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

**918 CIVIL APPLICATION NO.3265 OF 2019
IN FA/2246/2016**

VISHNUDAS GULABCHAND SHARMA
VERSUS
THE EXECUTIVE ENGINEER LIFT IRRIGATION DIVISION
OSMANABAD AND ORS

...

Advocate for Applicants : Mr. Patne Santosh N.
AGP for Respondent/State : Mr. S.J Salgare
Advocate for Respondent No.1 : Mr. S.P. Sonpawale

**WITH
919 CIVIL APPLICATION NO.3266 OF 2019
IN FA/1259/2014**

RAJABHAU MURLIDHAR KIRKASE
VERSUS
THE EXECUTIVE ENGINEER LIFT IRRIGATION DIVISION
OSMANABAD AND ORS

...

Advocate for Applicants : Mr. Patne Santosh N.
AGP for Respondent/State : Mr. A.M. Phule
Advocate for Respondent No.1 : Mr. S.P. Sonpawale

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**CORAM : P.R. BORA, J.
DATED : 01st March, 2019.**

PER COURT:-

1. Heard Shri Patne, the learned counsel for the applicant and Shri Sonpawale, the learned counsel for the acquiring body and Shri Salgare and Shri Phule, the learned AGP's for the respondent-State.

2. Perused the impugned judgment and the grounds of objections raised in exception to the

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said judgment. In view of the above, the following order is passed:

ORDER

- i) Both applications are allowed.
- ii) The applicants in both the applications are permitted to withdraw 50% of the deposited amount on submitting an undertaking to the satisfaction of the Registrar of this Court.
- iii) Balance 50% of the amount be invested in Fixed Deposit Receipt in any nationalized bank, for the period till disposal of the appeal.
- iv) Both civil applications for withdrawal of amount stand disposed of.

(P.R. BORA, J.)

Mujaheed//