

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

**CIVIL APPLICATION NO. 3367 OF 2020
IN
FIRST APPEAL NO. 2922 OF 2018**

Digambar Daulatrao Patil (Died)
Through Legal Representatives
Subha Bhimrao Surwase and Others

..APPLICANTS

VERSUS

Executive Engineer
Irrigation Project Strengthening Division,
Omerga and Others

..RESPONDENTS

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Mr. P.S. Chavan, Advocate for applicants
Mr. S.B. Patil, Advocate for respondent no.1
Mr. S.S. Dande, A.G.P for respondent - State

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**CORAM : R.G. AVACHAT, J.
DATED : 09th JUNE, 2021**

PER COURT :

1. Heard. Learned counsel for the acquiring body opposes the application.
2. Considering the impugned award and the averments in the application, the applicant is permitted to withdraw 75% of the amount deposited in this Court. 50% of the amount be paid on his furnishing undertaking and 25% as against solvent surety to the satisfaction of the

Registrar (Judicial). The balance amount be kept in fixed deposit with any of the nationalised banks, pending appeal.

3. Civil application is disposed of accordingly.

(R.G. AVACHAT, J.)

SSD