

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

**CIVIL APPLICATION NO. 3254 OF 2021
IN
FIRST APPEAL NO. 939 OF 2020**

Paraji Vishwanath Tupe ..APPLICANT

VERSUS

Godavari Marathwada Irrigation Development
Corporation, Aurangabad
Through the Executive Engineer and Others ..RESPONDENTS

**WITH
CIVIL APPLICATION NO. 3255 OF 2021
IN
FIRST APPEAL NO. 937 OF 2020**

Kadubai Devidas Gawad ..APPLICANT

VERSUS

Godavari Marathwada Irrigation Development
Corporation, Aurangabad
Through the Executive Engineer and Others ..RESPONDENTS

**WITH
CIVIL APPLICATION NO. 3256 OF 2021
IN
FIRST APPEAL NO. 938 OF 2020**

Abaji Bapurao Madan and Another ..APPLICANTS

VERSUS

Godavari Marathwada Irrigation Development
Corporation, Aurangabad
Through the Executive Engineer and Others ..RESPONDENTS

....

Mr. R.J. Nirmal, Advocate for applicants
Mr. S.U. Shaikh, Advocate h/f Mr. R.D. Biradar, Advocate for respondent no.1
Mr. A.B. Chate, A.G.P. for respondent - State

....

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

PER COURT :

1. Heard.

2. Perused impugned award. In a connected matter, 75% of the amount under award has been directed to be withdrawn, on condition of furnishing of an undertaking 50% and 25% as against solvent surety to the satisfaction of the Registrar (Judicial). Similar treatment is required to be given to the present applicants. Civil applications are, therefore, allowed as under :-

(i) The applicants are permitted to withdraw 75% of the amount deposited in this Court.

(ii) The applicants be paid 50% of the amount under award on furnishing undertaking and 25% on furnishing solvent surety to the satisfaction of the Registrar (Judicial) of this Court.

(iii) The balance amount be kept in fixed deposit with any of the nationalised bank, pending the appeal.

(R.G. AVACHAT, J.)

SSD