

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

**CIVIL APPLICATION NO. 6499 OF 2021
IN
FIRST APPEAL NO. 3197 OF 2019**

Bhagwat Aadhar Thakur

...Applicant

Versus

The Executive Engineer,
Minor Irrigation Division, MIW, Jalgaon & Ors.

...Respondents

.....
Shri. Vijay B. Patil, Advocate for the applicant
Shri. S. S. Chillarge, Advocate for respondent No. 1
Respondent nos. 2 and 3 served
.....

WITH
FIRST APPEAL NO. 3203 OF 2019

AND
**CIVIL APPLICATION NO. 6508 OF 2021
IN
FIRST APPEAL NO. 3201 OF 2019**

WITH
FIRST APPEAL NO. 3201 OF 2019

AND
**CIVIL APPLICATION NO. 6501 OF 2021
IN
FIRST APPEAL NO. 3199 OF 2019**

WITH
FIRST APPEAL NO. 3199 OF 2019

AND
CIVIL APPLICATION NO. 6500 OF 2021

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IN
FIRST APPEAL NO. 3198 OF 2019

WITH
FIRST APPEAL NO. 3198 OF 2019

AND
CIVIL APPLICATION NO. 6516 OF 2021
IN
FIRST APPEAL NO. 3208 OF 2019

WITH
FIRST APPEAL NO. 3208 OF 2019

AND
CIVIL APPLICATION NO. 6515 OF 2021
IN
FIRST APPEAL NO. 3210 OF 2019

WITH
FIRST APPEAL NO. 3210 OF 2019

AND
CIVIL APPLICATION NO. 6514 OF 2021
IN
FIRST APPEAL NO. 3211 OF 2019

WITH
FIRST APPEAL NO. 3211 OF 2019

AND
CIVIL APPLICATION NO. 6509 OF 2021
IN
FIRST APPEAL NO. 3204 OF 2019

WITH
FIRST APPEAL NO. 3204 OF 2019

AND
CIVIL APPLICATION NO. 6517 OF 2021
IN

FIRST APPEAL NO. 3207 OF 2019

WITH

FIRST APPEAL NO. 3207 OF 2019

AND

CIVIL APPLICATION NO. 6518 OF 2021

IN

FIRST APPEAL NO. 3205 OF 2019

WITH

FIRST APPEAL NO. 3205 OF 2019

CORAM : R. G. AVACHAT, J.

DATE : 30th JULY, 2021

PER COURT : -

1. These are the applications for withdrawal of the amount.
2. Heard learned Counsel appearing on behalf of the respective parties.
3. Only 25% of the amount under the Award has been deposited. The learned Counsel for the respondent / acquiring Body submits that, the enhancement is manifold and the respondent (original appellant) has every hope of success in appeals. He has, therefore, strongly objected for permitting withdrawal of the amount.
4. Perused the applications and the impugned award.

5. Since the amount deposited is not more than 25% of the impugned Award, I am inclined to permit its withdrawal. The applicants are permitted to withdraw 100% of the amount deposited in this Court, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

6. The Civil Applications for withdrawal of the amount, are accordingly disposed of.

[R. G. AVACHAT]
JUDGE