

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

**CIVIL APPLICATION NO. 5507 OF 2021
IN
FIRST APPEAL (ST) NO. 36935 OF 2019**

Bebi Bhagwat Patil

..APPLICANT

VERSUS

The Executive Engineer
Minor Irrigation Division, Jalgaon
and Others

..RESPONDENTS

**WITH
CIVIL APPLICATION NO. 5732 OF 2021
IN
FIRST APPEAL (ST) NO. 36942 OF 2019**

Bhagwat Narayan Dhobi

..APPLICANTS

VERSUS

The Executive Engineer
Minor Irrigation Division, Jalgaon
and Others

..RESPONDENTS

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Mr. V.P. Patil, Advocate for applicants
Mr. S.S. Chillarge, Advocate for respondent nos.1 and 2
Mr. S.S. Dande, A.G.P for respondent nos. 3 and 4

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**CORAM : R.G. AVACHAT, J.
DATED : 06th JULY, 2021**

PER COURT :

1. Heard. Perused impugned judgment and award.

2. Issue notice to the respondents in both the applications. Mr. Chillarge, learned counsel waives service of notice for Respondent Nos. 1 and 2 and learned A.G.P. waives service of notice for Respondent Nos. 3 and 4 in both the applications.

3. Learned counsel for both the parties are at ad idem to pass same order as passed in Civil Application No. 5063 of 2020 in First Appeal (St) No. 28257 of 2019 by this Court (Coram : V.L. Achliya, J.) dated dated 21st August, 2020. Hence, the following order :-

ORDER

(A) The applicants/claimants in both the applications are permitted to withdraw the amount as deposited in the respective appeals on furnishing written undertaking to the satisfaction of Registrar (Judicial) that in the event the award passed by the Reference Court is set aside or modified, the applicants/claimants shall re-deposit the amount withdrawn within eight weeks from the date of passing of such order.

(B) Withdrawal of amount by the applicants/claimants in respective appeals shall be subject to final decision in respective appeals.

(C) The amount allowed to be withdrawn be paid by transferring the amount to savings bank accounts of respective

applicants/claimants on their furnishing particulars of their respective savings bank accounts.

(D) Both the applications are disposed of in above terms.

(R.G. AVACHAT, J.)

SSD