

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

**CIVIL APPLICATION NO. 6855 OF 2021
IN
FIRST APPEAL NO. 3304 OF 2017**

Ramhari Narsu Waghmode & Anr.

...Applicants

Versus

The Executive Engineer, Osmanabad,
Medium Project Division, Osmanabad & Ors.

...Respondents

.....
Shri. E. S. Murge, Advocate for the applicants
Shri. R. A. Tambe, Advocate for respondent No. 1
.....

**AND
CIVIL APPLICATION NO. 6857 OF 2021
IN
FIRST APPEAL NO. 3303 OF 2017**

Ashruba Kondiba Mahanwar (Died)
through LR's -
Kalabai Ashruba Mahanwar & Ors.

...Applicants

Versus

The Executive Engineer, Osmanabad,
Medium Project Division, Osmanabad & Ors.

...Respondents

.....
Shri. E. S. Murge, Advocate for the applicants
Shri. R. A. Tambe, Advocate for respondent No. 1
.....

**AND
CIVIL APPLICATION NO. 6859 OF 2021
IN**

FIRST APPEAL NO. 3305 OF 2017

Pandurang Bhagwan Waghmode & Anr.

...Applicants

Versus

The Executive Engineer, Osmanabad,
Medium Project Division, Osmanabad & Ors.

...Respondents

.....
Shri. E. S. Murge, Advocate for the applicants
Shri. R. A. Tambe, Advocate for respondent No. 1
.....

**AND
CIVIL APPLICATION NO. 6861 OF 2021
IN
FIRST APPEAL NO. 3306 OF 2017**

Bapurao Buwaji Waghmode & Anr.

...Applicants

Versus

The Executive Engineer, Osmanabad,
Medium Project Division, Osmanabad & Ors.

...Respondents

.....
Shri. E. S. Murge, Advocate for the applicants
Shri. R. A. Tambe, Advocate for respondent No. 1
.....

**CORAM : R. G. AVACHAT, J.
DATE : 30th JULY, 2021**

PER COURT : -

1. These applications are moved for withdrawal of the amount.

2. Heard. Perused the applications.
3. Learned Counsel for the respondent- acquiring Body strongly objects to withdrawal of the amount. He relied on the judgment in the case of *Executive Engineer, Minor Irrigation Division, Jalgaon Vs. Vitthal Damodar Patil* reported in (2019) 7 SCC 225.
4. For the reasons given in the applications, the applicants are permitted to withdraw 50% of the amount deposited in this Court, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The balance amount be invested in any nationalized Bank, till disposal of the appeals.
5. The Civil Applications for withdrawal of the amount, are accordingly disposed of.

[R. G. AVACHAT]
JUDGE