

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

**CIVIL APPLICATION NO. 7035 OF 2021
IN
FIRST APPEAL (ST) NO. 7201 OF 2017**

Mahadeo Baburao Katkar (Died)
through Lrs Shobha & Ors.

...Applicants

Versus

Exe. Engineer, Irrigation Project Strengthening
Division, Omerga, Dist. Osmanabad & Ors.

...Respondents

.....
Shri. Sanjay A. Wakure, Advocate for the applicants
Shri. Ruturaj Patil, Advocate for respondent No. 1
Shri. K. S. Patil, AGP for respondent/State

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WITH
CIVIL APPLICATION NO. 13180 OF 2017
IN
FIRST APPEAL (ST) NO. 7201 OF 2017

CIVIL APPLICATION NO. 3859 OF 2021
IN
FIRST APPEAL (ST) NO. 7201 OF 2017

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

PER COURT : -

1. Heard Shri. Sanjay A. Wakure, learned Advocate for the applicants, Shri. Ruturaj Patil, learned Counsel for respondent No. 1 and Shri. K. S. Patil, learned AGP for respondent/State.

2. Learned counsel for the applicants submits that similar order, as has been passed by this Court in Civil Application No. 6707 of 2020 in First Appeal (St) No.39400 of 2018 (Trimukhabai Laxman Mane Vs. Executive Engineer, Irrigation Project Strengthening and ors.) on 19.10.2020, may be passed in the present application since this arises out of the same award.

3. In view of the above, the applicants are permitted to withdraw 50% of the amount deposited in this Court, on furnishing an undertaking to the satisfaction of the learned Registrar (Judicial) of this Court and 25% amount on furnishing solvent security to the satisfaction of learned Registrar (Judicial) of this Court. The balance amount be invested in any nationalized Bank till disposal of the appeal.

4. The Civil Application stands disposed of accordingly.

[R. G. AVACHAT]
JUDGE