

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

**CIVIL APPLICATION NO.7546 OF 2021
IN FAST/19269/2020**

THE EXECUTIVE ENGINEER, OSMANABAD MEDIUM PROJECT
DIVISION, OSMANABAD
VERSUS
JANARDHAN MARUTI GARAD (DIED),
THROUGH L.RS. SHANTABAI AND ORS.

Ms.Sunita Shelke, Advocate for applicant
Mr.M.L.Dharashive, Advocate for respondent nos.1 to 6
Mr.K.S.Patil, AGP for respondent nos.7 and 8

**CIVIL APPLICATION NO.7547 OF 2021
IN FAST/19273/2020**

THE EXECUTIVE ENGINEER, OSMANABAD MEDIUM PROJECT
DIVISION, OSMANABAD
VERSUS
ALKA ARUN GAIKWAD AND ORS.

Ms.Sunita Shelke, Advocate for applicant
Mr.S.N.Patne, Advocate for respondent no.1
Mr.K.S.Patil, AGP for respondent nos.2 and 3

**CIVIL APPLICATION NO.7548 OF 2021
IN FAST/19266/2020**

THE EXECUTIVE ENGINEER, OSMANABAD MEDIUM PROJECT
DIVISION, OSMANABAD
VERSUS
ARUN SHAMRAO GAIKWAD AND ORS.

Ms.Sunita Shelke, Advocate for applicant
Mr.S.N.Patne, Advocate for respondent no.1
Mr.K.S.Patil, AGP for respondent nos.2 and 3

CORAM : R.G. AVACHAT, J.
DATE : AUGUST 10, 2021

ORDER :-

These applications have been moved for modification of the order dated 03.12.2020 passed in Civil Application No.7942 of 2020 in First Appeal St. No.19015 of 2020 and connected matters, whereby the applicant/acquiring body has been directed to deposit the entire amount under the impugned award.

2. According to learned counsel for the applicant/appellant, she neither had instructions nor did she submit to the order directing to deposit the entire amount thereunder. Be that as it may.

3. Clause (3) of the order dated 03.12.2020 passed in Civil Application No.7942 of 2020 in First Appeal St. No.19015 of 2020 and connected matters is, therefore, modified as under:-

“ Subject to deposit of 70% of the amount under the impugned award within six weeks, there shall be ad-interim relief in terms of prayer clause (B).”

4. The applications stand disposed of accordingly.

[R.G. AVACHAT, J.]

KBP