

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

**CIVIL APPLICATION NO. 8725 OF 2021
IN
FIRST APPEAL (ST) NO. 25440 OF 2019**

Dnyanoba Pandurang Chede
(Died) Through L.Rs.
Vishnu Dnyanoba Chede and Others

..APPLICANTS

VERSUS

The Executive Engineer,
Osmanabad Minor Irrigation Division
and Others

..RESPONDENTS

AND CA/8726/2021 IN FAST/25500/2019

....
Mr. Shoyab Shaikh, Advocate for applicants
Mr. B.R. Survase, Advocate for respondent no.1
Mr. A.B. Chate, A.G.P. for respondent nos. 2 and 3
....

**CORAM : R.G. AVACHAT, J.
DATED : 25th AUGUST, 2021**

PER COURT :

1. Heard. Perused the impugned award.
2. Issue notice to the respondents. Mr.Survase, learned counsel waives service of notice for respondent no.1. Learned A.G.P. waives service of notice for Respondent Nos. 2 and 3.
3. Learned counsel for Respondent no.1 – acquiring body has objection to permit withdrawal of amount.

4. For the reasons given in the applications, applicants are permitted to withdraw 75% of the amount in deposit, 50% on submitting usual undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% on furnishing solvent surety/security/bank guaranty in the like amount. Balance 25% amount be invested in fixed deposit in any nationalised bank till disposal of appeal. Civil applications stand disposed of accordingly.

(R.G. AVACHAT, J.)

SSD