

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

**CIVIL APPLICATION NO. 9403 OF 2021
IN
FIRST APPEAL NO. 2197 OF 2019**

Bhagwanrao Narayanrao Ambhure
(Died) Through L.Rs.
Kausalyabai Bhagwanrao Ambhure
and Others

..APPLICANTS

VERSUS

The Godavari Marathwada Irrigation
Development Corporation
Through the Executive Engineer
and Others

..RESPONDENTS

....

Mr. V.D. Bhise, Advocate for applicants
Mr. H.T. Gaikwad, Advocate for respondent no.1
Mr. A.M. Phule, A.G.P. for respondent nos. 2 and 3

....

**CORAM : R.G. AVACHAT, J.
DATED : 14th SEPTEMBER, 2021**

PER COURT :

1. Heard. Perused the impugned award.
2. Issue notice to the respondents. Mr. Gaikwad, learned counsel waives service of notice for Respondent No.1 and learned A.G.P. waives service of notice for Respondent Nos. 2 and 3.

3. Learned counsel for the acquiring body strongly objects to permit withdrawal of amount.

4. For the reasons given in the application, the 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 with any of the nationalised bank till disposal of appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD