

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

**CIVIL APPLICATION NO. 9465 OF 2021
IN
FIRST APPEAL NO. 663 OF 2018**

Umakant Narayan Shinde and Another ..APPLICANTS

VERSUS

The Executive Engineer,
Irrigation Project Majbutikaran
Division Omerga and Others ..RESPONDENTS

**AND CIVIL APPLICATION NO. 9466/2021 IN FIRST APPEAL NO. 664/2018
AND CIVIL APPLICATION NO. 9467/2021 IN FIRST APPEAL NO. 666/2018
AND CIVIL APPLICATION NO. 9469/2021 IN FIRST APPEAL NO. 665/2018**

....
Mr. L.C. Patil, Advocate for applicants
Mr. Rahul Tambe, 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. Tambe, 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 in all applications.

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

4. In the fitness of things, 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 appeals. Civil applications stand disposed of accordingly.

(R.G. AVACHAT, J.)

SSD