

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7701 OF 2020 IN FA/3470/2019

MAHADEO BHAGWAN PAWAR
VERSUS
THE EXECUTIVE ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD
UNDER GMIDC AURANGABAD AND OTHERS

WITH
CIVIL APPLICATION NO. 7700 OF 2020 IN FA/3471/2019

BHAIRU RAMA MANE
VERSUS
THE EXECUTIVE ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD
UNDER GMIDC AURANGABAD AND OTHERS

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Advocate for Applicants : Mr. Rahul D. Khadap
AGP for Respondent : Mr. P.M. Kulkarni
Advocate for Respondent no. 1 : Mr. B.A. Shinde in both CAs

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CORAM : ANIL S. KILOR, J.
DATE : 01-04-2021

ORDER :

1. These are applications moved by the claimants for withdrawal of the amount. It is stated that complete decretal amount is deposited in this Court by the Acquiring Body.
2. Learned counsel appearing for the non-applicants opposes the prayer made by the applicants for withdrawal of the amount and states that the amount granted by the reference Court is exorbitant and

there is a challenge to the quantum in this matter. In that view of the matter, to balance between the rights of the parties, I am of the opinion that if 50% of the amount is permitted to withdraw by the applicants, the cause of justice would be subserved.

3. In that view of the matter, the applicants are permitted to withdraw 50% of the total decretal amount deposited in this Court on furnishing undertaking to the effect that in the event the decision in first appeal/s goes adverse to their interest, they would re-deposit the amount in this Court within the stipulated period.

4. Civil Applications are disposed of.

[ANIL S. KILOR]
JUDGE

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