

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

**CIVIL APPLICATION NO. 8692 OF 2020
IN
FIRST APPEAL NO. 1031 OF 2017**

Laxman Ramchandra Katkar and others ... Applicants

Versus

Executive Engineer,
Irrigation Project Strengthening [Majbutikaran]
Division, Omerga and others ... Respondents

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Mr. S. A. Wakure, Advocate for applicants

Mr. Jeevan R. Patil, Advocate h/f Mr. G. B. Rajale, Advocate for
respondent No.1

Mr. S. N. Kendre, Advocate for respondent Nos. 2 and 3

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CORAM : R. G. AVACHAT, J.

DATED : 18th NOVEMBER, 2021

PER COURT :-

. Heard learned counsel for the parties.

2. Learned counsel for the applicants has pointed out that, from the same award, this Court has permitted the applicants – original claimants to withdraw the amount to certain extent on specific terms and conditions. The learned counsel submits that, these applicants may be permitted to withdraw the amount

deposited in this Court on the same terms and conditions. Learned counsel for respondent No.1 – Acquiring Body submits that, the respondent No.1 Acquiring Body has no objection if the applicants in this application are permitted to withdraw the amount of compensation on the same terms and conditions.

3. In view of the same, I proceed to pass the following order :

O R D E R

- (i) The Civil Application is hereby allowed.
- (ii) The applicants are permitted to withdraw 50% of the amount on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% amount on furnishing solvent security/surety or bank guarantee to the satisfaction of the Registrar (Judicial) of this Court.
- (ii) Civil Application is accordingly disposed of.

[R. G. AVACHAT, J.]