

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

**CIVIL APPLICATION NO. 9436 OF 2021
IN
FIRST APPEAL NO. 2808 OF 2018**

Purushottam Tanaji Shinde
Through G.P.A.
Jayant Shivajirao Jagdale

..APPLICANT

VERSUS

The Maharashtra Krushna Vally
Development Corporation
Through Executive Engineer and Others

..RESPONDENTS

AND

CIVIL APPLICATION NO. 9437 OF 2021 IN FIRST APPEAL NO. 2806 OF 2018

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Mr. U.M. Mhaske, Advocate h/f Mr. R.V. Naiknavare, Advocate for applicants
Mr. A.M. Gaikwad, Advocate for respondent no.1
Mr. S.N. Kendre, A.G.P. for respondent nos. 2 and 3

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**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 in both the applications.

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

4. For the reasons given in the applications, the applicants are permitted to withdraw 60% of the amount in deposit on submitting usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance 40% amount be invested in fixed deposit with any of the nationalised bank till disposal of appeal. Civil applications stand disposed of accordingly.

(R.G. AVACHAT, J.)

SSD