

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.12401 OF 2022
IN FA/2827/2018**

AMBADAS SAMBHAJI DHOLE (DIED) THR LRS SATYABHAMA
AND ANR
VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. OSMANABAD
THR LIFT IRRIGATION DIV. OSMANABAD AND ORS

**WITH
CIVIL APPLICATION NO.12402 OF 2022
IN FA/2826/2018**

ANANDRAO SAMBHAJI DHOLE
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIV. OSMANABAD
THR LIFT IRRIGATION DIV. OSMANABAD AND ORS

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Mr. V. V. Ingale, Advocate for the Applicants.
Mr. R. C. Patil, Advocate for Respondent No.1.

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**CORAM : S. G. DIGE, J.
DATED : 14th OCTOBER, 2022.**

PER COURT:-

1. Heard the learned counsel for the applicants and learned counsel for the respondents.

2. The learned counsel for the applicants submits that in connected group of matters out of the same village and same Notification this Court (Coram: Mangesh S. Patil, J.) has permitted the applicants therein to withdraw 70% amount out of deposited amount. Hence, requested to pass the same order.

3. The learned counsel for the respondents submits that, the award passed in those appeals was different. Hence, it cannot be considered as the same award. Hence, requested to dismiss the applications.

4. I have heard both the learned counsel.

5. The applicants are poor farmers whose lands are acquired by respondent no.1. Since acquisition of the lands, applicants have not received any compensation. In connected group of matters this Court (Coram: Mangesh S. Patil, J.) has permitted the applicants therein to withdraw 70% amount. Hence, this Court cannot take different view. Hence, I pass the following order:

ORDER

- a. The applications are allowed.
- b. The applicants are permitted to withdraw 50% amount alongwith accrued interest thereon out of deposited amount on furnishing undertaking.
- c. The applicants are permitted to withdraw 20% amount alongwith accrued interest thereon out of deposited amount on furnishing solvent surety/security.
- d. The remaining 30% amount shall be deposited in Fixed Deposit of any Nationalized Bank.
- e. The civil applications are disposed of.

(S. G. DIGE)
JUDGE