

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 12200 OF 2022
IN FIRST APPEAL (ST) NO. 21391 OF 2020
WITH CA/12204/2022 IN FAST/21637/2020
WITH CA/12207/2022 IN FAST/21643/2020
WITH CA/12201/2022 IN FAST/21631/2020**

BALIRAM SHANKAR NAIKODE (DIED) THR LRS SUNDARBAI
AND OTHERS

VERSUS

THE EXECUTIVE ENGINEER IRRIGATION DEPT
STRENGTHENING DIVISION OMERGA AND OTHERS

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Advocate for Applicants : Mr. L.C. Patil
Advocate for Respondent No.1 : Mr. A.R. Lukhe h/f.
Mr. A.S. Shelke
AGP for Respondent Nos.2 and 3 : Mr. A.B. Chate

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CORAM : S.G. DIGE, J.

DATE : 8th September, 2022

ORDER :

. Heard learned Counsel for applicants, learned Counsel for respondent No.1 and learned A.G.P. for respondent Nos.2 and 3.

2. Learned Counsel for applicants submits that, respondent No.1 has deposited 60% amount out of award

amount. Applicants are poor agriculturists. They need amount for their daily expenses hence, requested to allow the application.

3. Considering the submissions of all learned Counsel as well as applicants are the poor agriculturist, they needs the amount for their daily expenses, hence, I pass the following order :-

ORDER

- (a) Applicants are permitted to withdraw 90% amount along-with accrued interest thereon out of 60% deposited amount on furnishing undertaking before the learned Registrar (Judicial).
- (b) Applicants are permitted to withdraw remaining 10% amount along-with accrued interest thereon on furnishing solvent surety/security.
- (c) The Civil Applications are disposed of.

[S.G. DIGE, J.]