

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

967 CIVIL APPLICATION NO.13707 OF 2022
IN FIRST APPEAL NO. 31 OF 2020

MARUTI RAMA KATWATE (DIED) THROUGH L.Rs.
DHONDABAI MARUTI KATWATE (DIED) THROUGH L.Rs.
VIMAL SONYABAPU @ RAMCHANDRA JADHAV &
OTHERS
VERSUS
EXECUTIVE ENGINEER, IRRIGATION PROJECT
STRENGTHING(MAJBUTIKARAN) DIVISION, OMERGA &
OTHERS

...

Advocate for Applicants : Mr.S.A.Wakure
AGP for Respondent-State : Mr.S.S.Dande
Advocate for Respondent no.1 : Mr.M.S.Kulkarni

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CORAM : S.G.DIGE, J.
DATE : 19.10.2022

P.C. :

1] Heard the learned counsel for the applicants and learned counsel for respondent no.1. The learned counsel for the applicants submits that in connected group of matters, this Court has permitted the applicants therein withdrawal of 75% amount out of deposited amount. 50% amount is allowed to be withdrawn on furnishing undertaking and 25% amount on furnishing solvent surety. Hence requested to pass the same order.

2] Learned counsel for respondent no.1 submits that appropriate order be passed.

3] Considering the submissions of both learned counsel as well as this Court [Coram : Mangesh S. Patil] has permitted in connected group of matter to withdraw 75% amount out of award amount hence this Court cannot take different view. Hence I pass the following order:-

ORDER

i] The applicants are permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.

ii] The applicants are permitted to withdraw 25% amount along with accrued interest thereon on furnishing solvent surety / security.

iii] Remaining 25% amount shall be deposited in fixed deposit of any Nationalized Bank.

iv] Application is disposed of.

**[S.G.DIGE]
JUDGE**

DDC