

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14150 OF 2022
IN FIRST APPEAL NO. 3481 OF 2018

BHAGIRTHIBAI BHAU DOKE (DIED) THR LRS. BIBHISHAN
BHAUDAKE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER KRISHNA KHORE OSMANABAD
THR M.K.V.D.C. PUNE AND ANOTHER

...
Advocate for Applicants : Mr. R.J. Nirmal
Advocate for Respondent No.1 : Mr. Mahesh Swami
AGP for Respondent No.2 : Mr. S.N.Morampalle
....

CORAM : S.G. DIGE, J.
DATE : 12th October, 2022

ORDER :

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

2. Learned Counsel for applicants submits that, in connected group of matters this Court (Coram : P.R. Bora, J.) by order dated 27th June, 2017 has permitted applicants to withdraw 75% amount. Hence, requested to

pass same order.

3. Learned Counsel for respondent No.1 strongly objected for allowing the application.

4. I have heard all the learned Counsel and considering the order passed by this Court (Coram : P.R. Bora, J.). In connected group of matters this Court (Coram : P.R. Bora, J.) applicants are permitted to withdraw 50% amount of the deposited amount with accrued interest thereon on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% amount of the deposited amount with accrued interest thereon on furnishing solvent surety in like amount to the satisfaction of the Registrar (Judicial) of this Court. Hence, I pass the following order :-

ORDER

- (a) Application is allowed.
- (b) Applicants are permitted to withdraw 50% amount of out of deposited amount with

accrued interest thereon on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

- (c) Applicants are permitted to withdraw 25% amount out of deposited amount with accrued interest thereon on furnishing solvent surety in like amount to the satisfaction of the Registrar (Judicial) of this Court.
- (d) The Civil Application is disposed of.
- (e) Leave to correct the name of applicant No.1-A in First Appeal No.3481 of 2018.

[S.G. DIGE, J.]