

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.14526 OF 2022
IN FA/1168/2022**

MADHAV MANIKRAO DAUNGE (DIED) THR LRS BHIMABAI
(DIED)THR LRS SHOBHABAI AND ORS

VERSUS

EX. ENGINEER, IRRIGATION DIV. AURANGABAD NOW MINOR
IRRIGATION DIV. NO. 1 AURANGABAD AND ANR

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Ms. Sangita Pahune Patil, Advocate for the Applicants.

Mr. S. S. Dande, AGP for Respondents-State.

Mr. B. R. Surwase, 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, learned A.G.P. for respondent-State and learned counsel for respondent no.1.

2. The learned counsel for the applicants submits that, in connected group of matters this Court has permitted the applicants therein to withdraw 50% amount on undertaking and 25% amount on furnishing solvent surety/security. Hence, requested to pass the same order.

3. The learned counsel for respondent no.1 submits that an appropriate order be passed.

4. Considering the submissions of all the learned counsel as well as this Court in connected group of appeals has permitted the applicants

therein to withdraw 70% amount alongwith accrued interest thereon out of deposited amount. Hence, I pass the following order:

ORDER

- a. The application is 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 25% amount alongwith accrued interest thereon out of deposited amount on furnishing solvent surety/security.
- d. The remaining 25% amount shall be deposited in Fixed Deposit of any Nationalized Bank.
- e. The civil application is disposed of.

(S. G. DIGE)
JUDGE