

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

**CIVIL APPLICATION NO.5485 OF 2023
IN
FIRST APPEAL (ST) NO. 12919 OF 2020**

**MANDABAI DNYANESHWAR PATIL
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS**

...
**CIVIL APPLICATION NO.5489 OF 2023
IN
FIRST APPEAL (ST) NO. 12886 OF 2020**

**BHAGWAN SHIVRAM CHAUDHARI
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS**

...
**CIVIL APPLICATION NO.5488 OF 2023
IN
FIRST APPEAL (ST) NO. 12898 OF 2020**

**MATHURABAI MOHAN PATIL
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS**

...
**CIVIL APPLICATION NO.5487 OF 2023
IN
FIRST APPEAL (ST) NO. 12913 OF 2020**

**ANJANABAI ZIPARU PATIL
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS**

...
**CIVIL APPLICATION NO.5492 OF 2023
IN
FIRST APPEAL (ST) NO. 12907 OF 2020**

DNYANESHWAR VEDU PATIL

VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS

...
CIVIL APPLICATION NO.5490 OF 2023
IN
FIRST APPEAL (ST) NO. 12889 OF 2020

DATTU HIMMAT PATIL
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS

...
CIVIL APPLICATION NO.5486 OF 2023
IN
FIRST APPEAL (ST) NO. 12901 OF 2020

PANDIT BHAGWAN PATIL AND ORS.
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS

...
CIVIL APPLICATION NO.5509 OF 2023
IN
FIRST APPEAL (ST) NO. 356 OF 2022

JITENDRA BARKU PATIL AND ANR.
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS

...
CIVIL APPLICATION NO.5491 OF 2023
IN
FIRST APPEAL (ST) NO. 12895 OF 2020

PINTU TUKARAM PATIL
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX. ENGG,
GIRANA IRRIGATION DIVISION,JALGAON AND ORS

...
Advocate for Applicant/s : Mr. V. B. Patil
Advocate for Respondent No.1 : Mr. A. D. Pawar
...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 19.06.2023

PER COURT :

1. Heard the learned Advocates appearing for the respective parties.
2. Mr. Patil, learned Advocate appearing for the applicant/s would invite attention of this Court to the findings of the Tribunal showing that the lands are held to be irrigated on the basis of facilities of well and tube-well.
3. Per contra, Mr. Pawar, the learned Advocate appearing for respondent no.1 would rely upon the observations in Paragraph No.27 to contend that, the Reference Court has assumed the availability of the water from the project for which the lands are acquired.
4. Having considered the rival submissions, it would be appropriate to permit the applicant/s to withdraw 75% of the amount deposited in this Court subject to furnishing an undertaking that in case of any adverse order and direction by the Appellate Court, they shall re-deposit the amount withdrawn within a period of eight weeks along with interest @ 6% p.a.
5. The undertaking as stated above shall be furnished within a period of six weeks.
6. Civil Applications are disposed of accordingly.

(S. G. CHAPALGAONKAR, J.)