

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

39 CIVIL APPLICATION NO.7964 OF 2023
IN FA/1997/2023
WITH CA/10520/2022 IN FA/1997/2023
WITH
FA/1997/2023

BHANUDASRAO BABURAO KARPE (DIED) THROUGH LRS.
KONDABAI BHANUDAS KARPE AND ORS
VERSUS
THE EXE. ENGINEER, MINOR IRRIGATION DIV., BEED
(G.M.I.D.C. AURANGABAD) AND ORS

...

Advocate for Applicants : Mr.Vilas S. Bocharé
AGP for Respondent-State : Mr.N.S.Tekale
Advocate for Respondent no.1 : Mr.S.W.Munde

...

AND

40 CIVIL APPLICATION NO.9374 OF 2023
IN FA/3696/2022
WITH CA/6073/2022 IN FA/3696/2022
WITH
FA/3696/2022

UTTAM S/O TATYRAO KARPE
VERSUS
THE EXECUTIVE ENGINEER, M.I.D., BEED AND ORS

...

Advocate for Applicant : Mr.Vilas S. Bocharé
AGP for Respondent-State : Mr.R.S.Wani
Advocate for Respondent no.1 : Mr.B.R.Surwase

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CORAM : ARUN R. PEDNEKER, J.
DATE : 28.11.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL

1] The present Civil Application is filed for withdrawal of the amount deposited by the acquiring body in this Court.

2] The learned counsel for the applicants has produced order dated 1st September, 2023 in Civil Application No.8040 of 2023 in First Appeal No.2160 of 2022 along with connected matters whereby the applicants were permitted to withdraw 75% of the deposited amount of compensation.

3] The acquiring body has deposited entire award amount as directed by the Tribunal.

4] In view of the same, the applicants are permitted to withdraw 75% of the deposited compensation amount i.e. 50% on usual undertaking and 25% on furnishing solvent surety / security to the satisfaction of the Registrar [Judicial] of this Court. The remaining amount be kept in FDR in any nationalized bank on yearly renewal basis till final disposal of the First Appeal. Civil applications are disposed of.

B] ORDER IN CIVIL APPLICATIONS FOR STAY

Since the appellant – acquiring body has deposited the amount as directed by this Court, the interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEALS

1] First Appeals are admitted. On admission, Mr.V.S.Bochare, learned counsel waives notice for respondents both first appeals.

2] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC