

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11674 OF 2023
IN FIRST APPEAL ST. NO. 33820 OF 2016

YESHWANT GYANGIR BUWA (DIED) INDUBAI YESHWANT GIRI (DIED) THR
LRS. LAHU YESHWANT GIRI AND ORS.

VERSUS

M.K.V.D.C. THR. THE EXECUTIVE ENGINEER, IRRIGATION PRO.MAJBU
TIKARAN DIV. OMERGA AND ORS.

WITH

CIVIL APPLICATION NO. 11675 OF 2023
IN FIRST APPEAL NO. 4953 OF 2017

AND

CIVIL APPLICATION NO. 10783 OF 2021
IN FIRST APPEAL NO. 4953 OF 2017

AND

CIVIL APPLICATION NO. 11650 OF 2023
IN FIRST APPEAL NO. 4955 OF 2017

Mr.R.V. Naiknaware, Advocate for the applicants.
Mr.A.M. Gaikwad, Advocate for respondent No.1.
Mr.S.B. Pulkundwar, AGP for the respondent/State.

CORAM : KISHORE C. SANT, J.
DATED : 04.11.2023

PC :-

01. These applications are filed seeking withdrawal of amount deposited by the appellant/acquiring body in this Court. The appellant has deposited the amount as per the award along with interest in this Court. It is submitted by the learned Advocate for the applicants that in similar first appeals, already compromise has taken place by reducing interest in view of

judgment in the case of **State of Maharashtra Vs. Kailash Shiva Rangari reported in 2016 (4) All MR 513**. In view of this, this Court finds that these applications can also be allowed.

02. The civil applications are allowed. The applicants are entitled to receive 75% of the amount; 50% of the amount on giving usual undertaking and 25% of the amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

03. The civil applications stand disposed off accordingly.

[KISHORE C. SANT, J.]