



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

**CIVIL APPLICATION NO. 689 OF 2024
IN FAST/28276/2022**

Uttam Bhagwan Lokare

....Applicant

VERSUS

The Executive Engineer Irrigation Division Osmanabad And Anr

.....Respondent

.....

Advocate for Applicant : Mr. R. V. Naiknavare

AGP for Respondent-State: Mr. A. S. Shinde

Advocate for Respondent No.1 : Mrs. Ranjana D. Reddy

...

WITH

**CIVIL APPLICATION NO. 690 OF 2024
IN FAST/28279/2022**

Rajendra Kisan Pawar

VERSUS

The Executive Engineer Irrigation Division Osmanabad And Anr

WITH

**CIVIL APPLICATION NO. 691 OF 2024
IN FAST/29000/2022**

Kakasaheb Khandu Jawale

Versus

The Executive Engineer Irrigation Division Osmanabad And Anr

WITH

**CIVIL APPLICATION NO. 692 OF 2024
IN FAST/28952/2022**

Babasaheb Khandu Jawale

Versus

The Executive Engineer Irrigation Division Osmanabad And Anr

WITH

**CIVIL APPLICATION NO. 694 OF 2024
IN FAST/29396/2022**

Vithal Kondiba Lokare

Versus

The Executive Engineer Irrigation Division Osmanabad And Anr

WITH

**CIVIL APPLICATION NO. 695 OF 2024
IN FAST/24562/2022**

Dnyanoba Ramrao Lokare

Versus

The Executive Engineer Irrigation Division Osmanabad And Anr

CORAM : S. G. MEHARE, J.

DATE : 19.01.2024

PER COURT :

1. Heard the learned counsel for the applicants and the learned counsel for the respondents/appellants.

2. The learned counsel for the appellants objected application contending that the award enhanced more than four times. She has also submitted that the interest has also been

incorrectly calculated. The award is apparently exorbitant. Hence, the applicant are not entitled to withdraw the amount.

3. The learned counsel for the applicants would submit that the applicants are the poor persons, small piece of their lands were acquired. Therefore, they are entitled to withdraw the amount. Considering the objection raised and the enhancement granted by the Civil Court the following order is passed. :-

ORDER

- (i) The applications are partly allowed.
- (ii) The applicants are allowed to withdraw 50% of the deposited amount along with accrued interest thereon out of which 25% of the amount be released on the undertaking that they will deposit the amount if the award is reversed and remaining 25% be released on the executing security/surety to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iii) The remaining balance amount be deposited in fixed deposit in any Nationalized bank as per the usual mode.

(S. G. MEHARE)
JUDGE

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