



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

CIVIL APPLICATION NO. 812 OF 2024 IN FA/3201/2023

SHIVRAM ASARAM GAVALI AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
AURANGABAD

...
Advocate for Applicants : Mr. Abhishek M. Hajare
AGP for Respondent/State : Mrs. R. R. Tandale (Choure)
...

CORAM : S. G. MEHARE, J.

DATE : 25-01-2024

PER COURT :-

1. Heard the learned counsel for the applicants. None present for respondent No.1/appellant.
2. The entire compensation amount of the award has been deposited. The applicants are entitled to withdraw the compensation. However, in the facts situation, the following order is passed;
 - i) The application is partly allowed.
 - ii) The applicants are entitled to withdraw 75% of the amount deposited with proportionate accrued interest;
 - (a) Out of 75% of the deposited amount, 50% amount with proportionate interest be released on furnishing an undertaking that they will re-deposit the amount, if the impugned judgment and award is reversed;
 - (b) Remaining 25% amount with proportionate interest be released on furnishing surety.

**(S. G. MEHARE)
JUDGE**

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