



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

932 CIVIL APPLICATION NO. 2363 OF 2024

IN FAST/2925/2021 WITH CIVIL APPLICATION NO.2368 OF 2024
IN FAST/2919/2021 WITH CIVIL APPLICATION NO.2370 OF 2024
IN FAST/2911/2021 WITH CIVIL APPLICATION NO.2369 OF 2024
IN FAST/2911/2021 WITH CIVIL APPLICATION NO.1818 OF 2021
IN FAST/2911/2021 WITH CIVIL APPLICATION NO.1819 OF 2021
IN FAST/2911/2021 WITH CIVIL APPLICATION NO.1823 OF 2021
IN FAST/2919/2021 WITH CIVIL APPLICATION NO.1827 OF 2021
IN FAST/2925/2021 WITH CIVIL APPLICATION NO.1829 OF 2021
IN FAST/2925/2021

APPA RAMBHAU WAMAN (DIED) THR LRS MAHADEO & ORS
VERSUS

THE M.K.V.D.C. THR. EX. ENGINEER MED. PROJECT
OSMANABAD

AND

986 CIVIL APPLICATION NO. 2372 OF 2024

IN FAST/2851/2021 WITH CIVIL APPLICATION NO.2373 OF 2024
IN FAST/2851/2021 WITH CIVIL APPLICATION NO. 1901 OF 2021
IN FAST/2851/2021 WITH CIVIL APPLICATION NO. 1902 OF 2021
IN FAST/2851/2021

SHAIKH DAGDUBHAI AMIRBHAI (DIED) THR LRS.
BABASAHEB DAGADU SHAIKH AND ORS

VERSUS

THE M.K.V.D.C. THR EX. ENGINEER, MEDIUM PRO.
OSMANABAD AND ANR

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Advocate for Applicants : Mr. Shekade Shashikant E.

AGP for Respondents-State : Mrs. R. R. Tandale.

Advocate for respective Respondent/s : Mr. A. M. Gaikwad.

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CORAM : S. G. MEHARE, J.

DATE : 01.03.2024

PER COURT :-

1. Heard the respective learned counsels for the parties.

2. In similarly situated matters, the Court allowed the applicants to withdraw the entire amount. Hence, the following order :

ORDER

- (i) The applications are allowed.
 - (ii) The applicants are allowed to withdraw entire amount deposited with this Court with accrued interest on the undertaking to deposit the money, if the impugned judgment and award is reversed.
 - (iii) The amount deposited with this Court be transferred to the Reference Court. Reference Court should release the amount on the undertaking mentioned above.
 - (iv) The amount be apportioned as per the share mentioned in the application, in paragraph No.10.
3. Applications to bring the legal heirs on record stand dismissed as not tenable. Learned counsel for the appellants got the knowledge about the death of the concerned respondents. They may take the steps to bring the legal heirs as per the procedure of law, if they desire.
4. List the matter in due course.

(S. G. MEHARE, J.)

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vmk/-