



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

13 CIVIL APPLICATION NO. 4153 OF 2024
IN FA/3820/2022

DILIP RAGHUNATH PATIL AND ORS
VERSUS
THE EX. ENGINEER, WAGHUR DAM DIV. JALGAON AND ANR

...
Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. A.M. Phule
Advocate for Respondent Nos. 1 & 2 : Mr. Vivek V. Tarde

...

AND

14 CIVIL APPLICATION NO. 5093 OF 2024
IN FA/2236/2022
WITH
CIVIL APPLICATION NO. 5092 OF 2024
IN FA/2237/2022
WITH
CIVIL APPLICATION NO. 5090 OF 2024
IN FA/2238/2022
WITH
CIVIL APPLICATION NO. 5094 OF 2024
IN FA/2235/2022
WITH
CIVIL APPLICATION NO. 5089 OF 2024
IN FA/2239/2022
WITH
CIVIL APPLICATION NO. 5091 OF 2024
IN FA/2240/2022

BALIRAM KASHIRAM BONDE
VERSUS
THE EX. ENGINEER, WAGHUR DAM DIV. JALGAON AND ANR

...

Advocate for Applicant : Mr. Kale Ajeet B.

AGP for Respondents/State : Mr. G.O. Wattamwar
Advocate for Respondent No.2 : Mr. A.S.Shelke

...

AND

15 CIVIL APPLICATION NO. 5106 OF 2024
IN FA/2615/2022
WITH
CIVIL APPLICATION NO. 5046 OF 2024
IN FA/2613/2022
WITH
CIVIL APPLICATION NO. 5105 OF 2024
IN FA/2617/2022
WITH
CIVIL APPLICATION NO. 5102 OF 2024
IN FA/2614/2022
WITH
CIVIL APPLICATION NO. 5107 OF 2024
IN FA/2616/2022
WITH
CIVIL APPLICATION NO. 5104 OF 2024
IN FA/2618/2022

VIMAL GAJADHAR PATIL

VERSUS

THE EX. ENGINEER, WAGHUR DAM DIV. JALGAON AND ANR

...

Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. S.K. Shirse
Advocate for Respondent Nos. 1 & 2 : Mr. S. V. Mundhe

...

AND

17 CIVIL APPLICATION NO. 6585 OF 2024
IN FAST/8866/2021
WITH
CIVIL APPLICATION NO. 6595 OF 2024
IN FAST/8862/2021

WITH
CIVIL APPLICATION NO. 6591 OF 2024
IN FAST/8870/2021

WITH
CIVIL APPLICATION NO. 6590 OF 2024
IN FAST/8875/2021

WITH
CIVIL APPLICATION NO. 6586 OF 2024
IN FAST/8881/2021

MALINI BHASKAR BHANGALE AND ORS
VERSUS
THE EX. ENGINEER, WAGHUR DAM DIV. JALGAON AND ANR

...
Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. V.M. Chate
Advocate for Respondent Nos. 1 & 2 : Mr. P.P. Nangare
...

CORAM : KISHORE C. SANT, J.

DATE : 09 JULY, 2024.

PER COURT :

1. These applications are for withdrawal of the amount deposited by the Acquiring Body in the Reference Court in respective execution proceedings.

2. Learned Advocate for the applicants produces on record the copies of orders dated 05.04.2024 and 25.06.2024

passed in Civil Application No. 3323 of 2024 alongwith group of matters and Civil Application No. 3794 of 2024 alongwith other group of matters respectively.

3. This Court in said orders have allowed the applicants therein to withdraw 75% of the amount on certain conditions. In view of the above, this Court is inclined to pass following order :

ORDER

a) The Civil Applications are partly allowed and disposed off.

b) The applicants are permitted to withdraw 50% of the amount with accrued interest deposited in reference Court by the Acquiring Body alongwith accrued interest on furnishing usual undertaking to the satisfaction of the Reference Court.

c) 25% of the amount with accrued interest deposited is allowed to be withdrawn by furnishing solvent surety/security to the satisfaction of the reference Court.

d) The remaining 25% of the deposited amount be invested in fixed deposits in any

national Bank to be renewed from time to time
till final disposal of the appeal/s.

(KISHORE C. SANT)
JUDGE

mahajansb/