



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 531 OF 2024
IN FAST/2688/2023

SUHASHINI SATISH MARADKAR

....Applicant

VERSUS

The State Of Maharashtra Through Collector Osmanabad

.....Respondent

WITH

CIVIL APPLICATION NO. 5110 OF 2023

IN

FIRST APPEAL STAMP NO. 10095 OF 2023

THE EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT
STRENGTHNING DIVISION OMERGA

VERSUS

SUHASHINI SATISH MARDKAR

.....

Advocate for Applicant : Mr. L. C. Patil

A.G.P for Respondent Nos. 1 and 2 : Mr. A. S. Shinde

Advocate for Respondent No.3 : Mr. V. P. Narwade

....

CORAM : S. G. MEHARE, J.

DATE : 19.01.2024

ORDER :

**CIVIL APPLICATION NO. 531 OF 2024
IN FAST/2688/2023 (WITHDRAWAL)**

1. Heard the learned counsel for the applicant and the learned counsel for the appellant/Acquiring Body.

2. In similarly situated case this Court by order on 31st October 2023 allowed the applicant to withdraw the amount. Hence, the order.

ORDER

- (i) The applications is partly allowed.
- (ii) Applicants are allowed to withdraw 75% of the total amount of compensation. 50% amount be released on the usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court and 25% on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. The remaining amount be kept in fixed deposit in any Nationalized Bank on the yearly renewal basis.

CIVIL APPLICATION NO. 5110 OF 2023 IN F.A.S.T. 10095 OF 2023 (STAY)

- 3. The applicant has moved this application for stay.
- 4. Heard the learned counsel for the applicant and the learned counsel for the respondent.
- 5. The learned counsel for the applicant submitted that the entire amount of compensation has been deposited. Hence, the impugned award may be stayed. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) The office is directed to register the appeal.

- (iii) The implementation, effect and operation of the impugned award is stayed till the conclusion of the appeals.

6. **Admit**

7. Issue notice to the respondents after admission. The learned A.G.P waives service of notice for respondent State.

8. The learned counsel Mr. L. C. Patil waives service of notice for all the respondents.

9. Call record and proceedings.

10. List the matter in due course.

(S. G. MEHARE)
JUDGE

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