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903-CA-10001-2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

903 CIVIL APPLICATION NO. 10001 OF 2023  
IN FAST/10596/2022

Bhagwat S/o Sopan Khawale (died) Thr Lrs. Sunita Bhagwat Khawale  
And Ors

VERSUS

The Exe. Engineer, Minor Irrigation Div., Osmanabad And Ors

WITH

CIVIL APPLICATION NO. 10316 OF 2022  
IN FAST/10341/2022

WITH

CIVIL APPLICATION NO. 10317 OF 2022  
IN FAST/10341/2022

WITH

CIVIL APPLICATION NO. 10318 OF 2022  
IN FAST/10591/2022

WITH

CIVIL APPLICATION NO. 10319 OF 2022  
IN FAST/10591/2022

WITH

CIVIL APPLICATION NO. 10320 OF 2022  
IN FAST/10596/2022

WITH

CIVIL APPLICATION NO. 10321 OF 2022  
IN FAST/10596/2022

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Mr. Ganesh J. Kore, Advocate for Applicant.

Mr. M. C. Swami for Respondent No.1.

Mr. K. B. Jadhaver, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 19<sup>th</sup> DECEMBER 2024

PC :-

**CIVIL APPLICATIONS FOR DELAY**

1. Heard the parties.
2. For the reasons stated in the applications, applications are allowed.  
Delay stands condoned.
3. Office to register First Appeal.
4. Applications stand disposed off.

**FIRST APPEALS**

1. Issue notice to the Respondents, returnable on 20<sup>th</sup> February 2025.
2. Learned AGP waives service of notice for State and the Authorities.
3. Learned Advocate Mr.Ganesh Pore waives service of notice for Respondent/claimant.

**CIVIL APPLICATIONS FOR STAY**

. Since the applicant has already deposited entire amount in the office of this Court as per impugned judgment and award, there shall be stay to the impugned judgment and award pending the appeal.

5. With this, application stands disposed off.

**CA/10001/2023 FOR WITHDRAWAL**

1. Heard the parties.
2. The application is opposed by the learned Advocate for the appellant. However, since the order are already passed in similar applications, the following order:-

**ORDER**

- (i) The applicants are permitted to withdraw 50% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (ii) Further 25% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iii) Remaining amount be kept in Fixed Deposit in any nationalized bank till final disposal of the appeal.
- (iv) With this, application stands disposed off.

**APPEAL (ST) NO. 10596/2022**

1. The appellant to carry out amendment showing the legal heirs of

the deceased respondent on record within four weeks from today.

**[KISHORE C. SANT, J.]**