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

**54 CIVIL APPLICATION NO. 3695 OF 2024
IN FA/797/2023**

AND

**CIVIL APPLICATION NO. 3694 OF 2024
IN FA/796/2023**

AND

**CIVIL APPLICATION NO. 3697 OF 2024
IN FA/798/2023**

AND

**CIVIL APPLICATION NO. 3698 OF 2024
IN FA/799/2023**

**BAJIRAO JANOJIRAO PATIL SINCE DEAD THROUGH LRS AND
ORS**

.....Applicants

VERSUS

**THE EXECUTIVE ENGINEER IRRIGATION PROJECT
STRENGTHENING DIVISION AND ORS**

.....Respondents

Mr. G. V. Patil, Advocate for the applicant
Adv. S. D. Shelke, Advocate for respondent No.1 to 3
Mr. S. K. Shirse, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 12th JULY, 2024

P C.

1. These applications are for withdrawal of the amount

deposited by the acquiring body in this court pursuant to the impugned judgment and award.

2. The applications are vehemently opposed by the acquiring body.

3. However, since the amount is already deposited it will not be in the interest of justice to keep the amount idle in the office of this court. Hence, the following order:-

ORDER

a] The applications are allowed.

b] The applicants are entitled to receive 50% of the amount of deposited alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount deposited alongwith accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court. Balance amount be

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invested in fixed deposit in any nationalized bank
pending the appeal.

c] The applications stand disposed off.

[KISHORE C. SANT, J.]

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