



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

23 CIVIL APPLICATION NO. 7211 OF 2023 IN FAST/24160/2021

RAMBHAU KONDIBA AKHADE DIED THR LRS SUMAN RAMBHAU
AKHADE AND OTHERS

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION
OSMANABAD AND ANOTHER

...

24 CIVIL APPLICATION NO. 7390 OF 2023 IN FAST/24066/2021

VITHAL PATIBUWA AKHADE DIED THR LRS KAMALBAI V. AKHADE
AND OTHERS

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION
OSMANABAD AND ANOTHER

...

Advocate for Applicants : Mr. Sanjay A. Wakure

AGP for Respondent No.2 : Mr. A. S. Shinde

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CORAM : S. G. MEHARE, J.

DATE : 25-01-2024

PER COURT :-

1. Heard the learned counsel for the applicants and the learned
A.G.P. for the respondent No.2.

2. In the similarly situated matters, this Court, by order dated
10.01.2023, permitted the applicants/claimants to withdraw 75%
of their respective share from deposited amounts, on certain
conditions. Hence, the order;

i) The applications are allowed.

- ii) The applicants are permitted to withdraw 75% of their respective shares from deposited amounts along with accrued interest thereon,
 - (a) Out of it, 50% amount be released on usual undertaking that they will deposit the amount, if the judgment and award impugned are reversed,
 - (b) 25% amount be released on furnishing solvent surety / security in the like amount, and
 - (c) Remaining balance 25% amount be invested in the fixed deposit in any of Nationalized Banks on yearly renewal basis, as per rules, till the final conclusion of the appeals.
- iii) The applications are accordingly disposed of.

**(S. G. MEHARE)
JUDGE**

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