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

**111 CIVIL APPLICATION NO. 4014 OF 2024
IN FA/1482/2024**

AND

**116 CIVIL APPLICATION NO. 6857 OF 2024
IN FA/1762/2024**

PANDU DEVAJI NAPTE AND ANR

....Applicants

VERSUS

**THE G M I D C THROUGH THE EXECUTIVE ENGINEER MINOR
IRRIGATION DIVISION DIV NO 1 AURANGABAD AND ORS**

.....Respondents

Mr. A. M. Hazare, Advocate for the applicants
Mr. S. C. Arora, Advocate for respondent Nos.1&2
Mr. K. B. Jadhavar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 12th SEPTEMBER, 2024

P. C.

1. The learned advocate for the applicant produced on record the copy of the order dated 26-04-2024 in Civil Application No. 4012/2024 in CA/4013/2024 in FAST/34631/2023 whereby this court allowed the applications by directing to withdraw the entire amount.

2. The application is opposed by the learned advocate for the respondents. He further submits that in order dated 26-04-2024 the court allowed to withdraw entire amount, considering the amount was only Rs.4,75,66/- and Rs.15,45,952/-. In the present case the amount is Rs.1,11,71,326 in FAST/34620/2023 and Rs.31,58,786/- in FAST/34616/2023.

3. Considering the above, following order:-

ORDER

a] Both the applications stand partly allowed.

b] The applicants are permitted to withdraw 50% of the amount deposited in this court alongwith interest on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court. Remaining amount be fixed in a fixed deposit in any

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nationalized bank to be renewed from time to time
pending the appeal.

[KISHORE C. SANT, J.]

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