



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**68 CIVIL APPLICATION NO. 7950 OF 2024
IN FA/3744/2022**

IRSANGAPPA SIDRAMAPPA HONDRAW (DIED) THR LRS SUNIL AND
ORS
VERSUS
THE STATE OF MAHARASHTRA TAHROUGH THE COLLECTOR,
OSMANABAD AND ORS

...

Advocate for Applicant : Mr. Laxmikant C. Patil
AGP for Respondent Nos.1 and 2 / State : Mr. R. K. Ingole.
Advocate for Respondent No.3 : Ms. Sunita Dasharat Shelke.

...

AND
FIRST APPEAL NO. 3744 OF 2022

THE EX. ENGINEER, IRRIGATION PROJECT STRENGTHENING DIV.
OMERGA AND ORS
VERSUS
IRSANGAPPA SIDRAMAPPA HONDRAW (DIED) THR LRS SUNIL AND
ORS

...

Advocate for Appellant : Ms. Sunita Dasharat Shelke.
AGP for the State : Mr. R. K. Ingole.
Advocate for Respondents : Mr. Laxmikant C. Patil.

..

AND
**CIVIL APPLICATION NO. 7258 OF 2022
IN FA/3744/2022**

THE EX. ENGINEER, IRRIGATION PROJECT STRENGTHENING DIV.
OMERGA AND ORS
VERSUS
IRSANGAPPA SIDRAMAPPA HONDRAW (DIED) THR LRS SUNIL AND
ORS

...

Advocate for Applicant : Ms. Sunita Dasharat Shelke.
AGP for the State : Mr. R. K. Ingole.
Advocate for Respondents : Mr. Laxmikant C. Patil.

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CORAM : **KISHORE C. SANT, J.**

DATE : 17th October, 2024.

P.C.:

. Heard the learned counsel for the parties.

Application for stay:

2 Since the amount is already deposited in the office of this Court, there shall be stay to the execution and operation of the impugned judgment and award till disposal of appeal. The application stands allowed and disposed of.

Appeal:

3 Heard.

4 **Admit.**

5 Issue notice to respondent. Mr. L. C. Patil, learned counsel waives notice on behalf of respondents on admission.

6 The record and proceedings be called for.

Application for withdrawal of amount:

7 The learned counsel for applicants relies on the order dated 13th August, 2024 passed by this Court in Civil Application No.2604 of 2024. The application is opposed by the learned counsel for appellant.

However, since already there is an order passed by this Court, this Court is inclined to pass the order as below:-

ORDER

- I. The applicants are permitted to withdraw 50% of the amount deposited in this Court alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.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 to be renewed periodically till decision of the appeal.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[KISHORE C. SANT, J.]

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