



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2933 OF 2024
IN FAST/23344/2021 WITH
CIVIL APPLICATION NO. 9926 OF 2021
IN FAST/233

Dayanand Arjun @ Arjuna Survase

VERSUS

The Ex. Engineer, Irrigation Project Strengthening Div. Omerga And
Ors

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Advocate for Applicant : Ms. Pooja K. Apache h/f Mr. Patne Santosh N.

AGP for Respondent/State : Mr. N.B. Patil

Advocate for Respondent No.1 : Mr. R.A. Tambe

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CORAM : S.G. MEHARE, J.

DATED : APRIL 19, 2024

PER COURT:-

1. Heard the respective counsels.
2. In identical matters, the claimants were allowed to withdraw 75% of the amount deposited with this Court on certain conditions. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The applicants are allowed to withdraw the entire amount of compensation deposited with this Court with interest.
- (iii) 50% of the amount be released on undertaking that they would deposit the money if the impugned judgment and award is reversed and remaining 25% be released on furnishing surety/security.

ORDER IN CIVIL APPLICATION NO.9926 OF 2021 (STAY)

1. Heard the respective counsels.
2. Various arguable points are available to the appellant in the appeal. Substantial amount of compensation has been deposited and paid to the claimants. Hence, the application is allowed and the interim order granting stay to the appellant stands confirmed till the conclusion of the appeal.
3. Call record and proceedings.
4. List the appeal after removal of office objections.

(S.G. MEHARE, J.)