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83ca10512.24

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

**83 CIVIL APPLICATION NO. 10512 OF 2024
IN FAST/19707/2021**

AND

**CIVIL APPLICATION NO. 13758 OF 2021
IN FAST/19707/2021**

AND

FAST/19707/2021

**SHREEHARI TULSHIRAM GAWALI (DIED) THR LRS
SINDHUBAI AND ORS**

....Applicants

VERSUS

**THE EX. ENGINEER, IRRIGATION PROJECT MAJBUTIKARAN
PROJECT AND ANR**

.....Respondents

Mr. V. B. Deshmukh, Advocate for the applicants
Mr. R. A. Tambe, Advocate for the respondent No.1
Mr. K. B. Jadhavar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 03rd OCTOBER, 2024

P. C.

WITHDRAWAL

1. Heard the parties.

2. This application is for withdrawal of the amount deposited in this court by the appellant/acquiring body.

3. Considering the earlier order and prima facie case, the application is partly allowed in following terms.

4. 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 Further 25% of the amount is allowed to be withdrawn on furnishing solvent security /surety to the satisfaction of the learned Registrar (Judicial) of this court. Remaining amount be kept in fixed deposit in any nationalized bank to be renewed from time to time till disposal of the appeal.

5. The application stands disposed off.

DELAY

1. Heard.

2. For the reasons stated in the application, the delay stands condoned. The application stands allowed.

3. Office to register the appeal.

APPEAL

1. Issue notice to the respondents, returnable on 12-12-2024. Mr. Deshmukh, learned advocate waives service of notice for the respondent Nos.1 to 4.

[KISHORE C. SANT, J.]

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