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910- CA-11437-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO. 11437 OF 2024  
IN FA/2798/2023

Vikram Dadarao Yadav (died) Thr. Lrs Babai And Ors

VERSUS

The G. M. I. Dev. Cor. Ltd. Aurangabd Thr. The Ex. Director And The Ex.  
Engineer I.p.div. Beed

WITH

CIVIL APPLICATION NO. 11438 OF 2024  
IN FA/2799/2023

WITH

CIVIL APPLICATION NO. 11439 OF 2024  
IN FA/2799/2023

WITH

CIVIL APPLICATION NO. 10659 OF 2022  
IN FA/2798/2023

WITH

CIVIL APPLICATION NO. 10661 OF 2022  
IN FA/2799/2023

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Mr. Mahesh P. Kale And P. N. Muly, Advocate for Applicant.

Mr. K. N. Lokhande, AGP for Respondent-State.

Mr. R. T. Deshmukh h/f Mr. Anand Chaware for Respondent No.3.

CORAM : KISHORE C. SANT, J.

DATE : 19<sup>th</sup> DECEMBER 2024

PC :-

1. Heard the learned Counsel for the parties.

2. This application is for withdrawal of the amount deposited in this Court by the appellant-acquiring body. Already an order is passed in similar civil application on 24<sup>th</sup> August 2024.

3. In view of the same, following order:-

**ORDER**

(i) The applicants are permitted to withdraw 50% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.

(ii) Further 25% of the amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

(iii) Remaining amount be kept in Fixed Deposit in any nationalized bank till disposal of the appeal.

**CIVIL APPLICATIONS FOR STAY**

1. Heard. Since the amount is already deposited in the office of this Court, in view of the same, there shall be stay to the impugned judgment and award till the final disposal of the appeal.

2. With this, Applications stand disposed off.

**CA/11439/2024**

1. This application is filed for bringing on record the legal heirs of the deceased Radhakisan Namdeo Kadam who died on 8<sup>th</sup> August 2021. The present applicants are the legal heirs of the deceased. The applicants have annexed photo copy of the death certificate and heirship certificate issued by the Civil Judge, Junior Division, Vadwani.
2. In view of the same, there is delay of 844 days caused in filing the application. For the reasons stated in the application, application is allowed. Delay stands condoned.
3. Necessary amendment be carried out in the cause title of the appeal and applications within a period of four weeks from today.
4. With this, application stands disposed off.

**[KISHORE C. SANT, J.]**