



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 479 OF 2024
IN FA/3573/2016

Venkat Baburao Birajdar Died Thro. Lrs. Anita
Venkat Birajdar And Others

.....Applicants

VERSUS

The Exe. Engineer, Irrigation Pro. Strengthening
Div. Omerga, Osmanabad And Ors

.....Respondent

WITH
CIVIL APPLICATION NO. 480 OF 2024
IN FA/3574/2016

Baburao Bajirao Birajdar

.....Applicants

VERSUS

The Executive Engineer, Irrigation Project
Strengthening Division, Omerga, Osmanabad And Ors

.....Respondent

....

Mr. L. C. Patil, , Advocate for Applicant

Mr. S. G. Sangle, Advocate for Respondents

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 29, 2024

PER COURT :

1. These applications filed for withdrawal of the
amount deposited by the Appellant.

2. Learned Counsel for the Applicants/Original
Claimants placed reliance on order dated 24.09.2021

passed by this Court in Civil Application No. 10076/2021 in First Appeal No. 1202/2021. It is his further contention that this order is passed in connection with the same acquisition.

3. Though learned Counsel for the Appellant/Respondents opposed the application, however, it is not in dispute that the said order passed in connected first appeal. Having regard to the fact that in connected first appeal original claimants therein were permitted to withdraw 50% amount with accrued interest on furnishing usual undertaking and 25% on furnishing solvent surety, the present applications are allowed on same terms.

(R. M. JOSHI, J.)

Malani