



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 CIVIL APPLICATION NO. 1865 OF 2024
IN FA/604/2024 WITH
CIVIL APPLICATION NO. 187 OF 2021 IN
FA/604/2024 (stay) WITH CIVIL APPLICATION
NO. 189 OF 2021 IN FA/605/2024

Vivekananad Ramkrashna Khalate

VERSUS

The State Of Maharashtra Through The Collector, Osmanabad
And Ors

...

Advocate for Applicant : Mr. Patil Laxmikant C.

AGP for Respondent/State: Mrs. M.L. Sangit

....

CORAM : S. G. MEHARE, J.

DATE : 16.02.2024

PER COURT :

1. Heard the learned counsel for the applicant and the learned counsel for the respondents/appellants.
2. In similarly situated matters this Court has allowed the applicant to withdraw 75% of the amount deposited. Hence, the following order

ORDER

- (i) The application is allowed.

- (ii) The applicant is allowed to withdraw 75% of the amount deposited along with interest accrued thereon till date on furnishing undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iii) The balance amount be invested in the fixed deposit in any Nationalized Bank on the yearly renewal basis till final disposal of the appeal.

**WITH
CIVIL APPLICATION NO. 187 OF 2021
IN FA/604/2024**

THE EXECUTIVE ENGINEER, IRRIGATION STRENGTHENING
DIVISION OMERGA **VERSUS** VIVEKNANAD RAMKRISHNA
KHALATE AND OTHERS

**WITH CIVIL APPLICATION
NO. 189 OF 2021 IN FA/605/2024**

THE EXECUTIVE ENGINEER, IRRIGATION
STRENGTHENING DIVISION OMERGA **VERSUS** BABULAL
ABBAS SAYYAD (DEAD) THR LRS SUJATABAI AND OTHERS

3. Heard the learned counsel for the applicants and the learned counsel for the respondents.
4. The applicant has a good case on merits. There are arguable points to be determined. That apart the entire compensation amount has been deposited. The interest of the

claimant has been secured. Hence, the appellant deserves stay.

Hence, the following order :-

ORDER

- (i) The application is allowed.
 - (ii) The execution, implementation of the impugned judgment and award is stayed till conclusion of the appeal.
- 5. Call record and proceeding.
 - 6. Admit.
 - 7. The learned counsel Mr. L. C. Patil waives service of notice for respondent No.1.

(S. G. MEHARE)
JUDGE

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