



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

**CIVIL APPLICATION NO. 1217 OF 2025
IN FA/3199/2023**

Lalchand Nathmal Haswal Died Thr Lrs Lilabai Died Thr Lrs
Sushila R Banberu And Anr

VERSUS

The Executive Engineer Minor Irrigation Division Div No 1
And Ors

...

Mr. A. M. Hajare, Advocate for Applicants
Mr. S. P. Joshi, AGP for Respondents-State
Mr. S. G. Bhalerao, Advocate for Respondent No.1

...

WITH

CIVIL APPLICATION NO. 5687 OF 2023 IN FA/3199/2023

.....

CORAM : ROHIT W. JOSHI, J.

DATED : 20TH MARCH, 2025

PER COURT :-

FIRST APPEAL NO.3199 OF 2023

1. Heard.

2. **Admit.**

3. Call Record and Proceeding.

4. Issue notice to the respondents. Learned AGP waives service of notice for respondent-State Authority and Land Acquisition Officer. Learned Advocate Mr. Hajare waives service of notice for respondent/land owners.

CIVIL APPLICATION NO. 5687 OF 2023

. Since, the entire amount as awarded by the learned Reference Court is deposited with this Court alongwith accrued interest, execution of the impugned judgment and award passed by the learned Reference Court is stayed till final disposal of the appeal, subject to right of the respondents/land owners to seek withdrawal of the amount deposited.

CIVIL APPLICATION NO. 1217 OF 2025

. The learned Advocates make a statement that in similar matters, 75% of the amount deposited is allowed to be withdrawn. In that view of the fact, 75% of the amount deposited by the non applicant/Acquiring Body is allowed to be withdrawn on furnishing usual undertaking .

2. The present Civil Application is **disposed** of permitting the applicants/land owners to withdraw 75% of the amount deposited by the non applicant/Acquiring Body with this Court alongwith accrued interest on furnishing usual undertaking.

(ROHIT W. JOSHI, J)