



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

23 CIVIL APPLICATION NO. 6024 OF 2025
IN FA/2097/2021

SHIVAJI DAGDU DALVE AND ANR

VERSUS

THE EX. ENGINEER, MEDIUM PROJECT DIV. OSMANABAD THR. SUBO
DIVISIONAL ENGINEER AND ORS

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Mr. P. B. Rakhunde, Advocate for Applicants

Mr. N. R. Dayma, AGP for Respondents-State

Mr. S. C. Arora, Advocate for Respondent No.1

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18.11.2025

PER COURT :-

- . Applicants are seeking withdrawal of further amount.
2. Initially, the applicants were permitted to receive 50% of the amount on furnishing undertaking, as Rs.32,06,495/- was disbursed. For the balance amount, present application is made.
3. It is submitted that applicants are ready to furnish solvent surety for disbursement of 25%. My attention is adverted to the findings recorded by the Tribunal to show that the quantum is arrived at reasonably considering all aspects of the matter.

4. Mr. Arora, learned counsel for the acquiring body opposes the submissions and the application. It is submitted that impugned judgment is vulnerable. If further amount is disbursed, that would frustrate the claim of the acquiring body. He would submit that appeal may be fixed for final hearing.

5. Already applicants were permitted to receive 50% of the amount, it is not possible to accept the prayers of the application. However, the applicants are ready to furnish bank guarantee, then 25% of the amount can be disbursed.

6. Civil Application is disposed of with a permission to receive further 25% of the amount on furnishing bank guarantee.

7. The balance amount shall be invested in a Nationalized Bank.

8. It is made clear that no further application shall be entertained if the applicants fail to furnish the bank guarantee.

(SHAILESH P. BRAHME, J.)