



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

**CIVIL APPLICATION NO. 10605 OF 2025
IN FA/2452/2025**

Rakhmaji S/o Janardhan Gaware And Others .. Applicants

Versus

The Executive Engineer, Minor Irrigation Division
Jalna, District Jalna And Others .. Respondents

Mr. Shaikh Layak Sajatalli, Advocate for the Applicants.
Smt. S. G. Chincholkar, Advocate for Respondent No. 1.
Smt. R. R. Tandale, AGP for Respondent Nos. 2 & 3.

**WITH
CIVIL APPLICATION NO. 3064 OF 2024
IN FA/2452/2025**

The Executive Engineer, Minor Irrigation Division
Jalna, District Jalna And Others .. Applicants

Versus

Rakhmaji S/o Janardhan Gaware And Others .. Respondents

Smt. S. G. Chincholkar, Advocate for the Applicants.
Mr. Shaikh Layak Sajatalli, Advocate for Respondent No. 1.
Smt. R. R. Tandale, AGP for Respondent Nos. 2 & 3.

**CORAM : KISHORE C. SANT, J.
DATE : 14th OCTOBER, 2025.**

PER COURT :-

CIVIL APPLICATION NO. 10605 OF 2025 :

1. This application is for withdrawal of the amount deposited by the acquiring body in the office of this Court pursuant to impugned judgment and award.
2. Both the learned advocates submit that, earlier in the matter arising out of the same acquisition proceeding this Court has already allowed the claimants therein to withdraw 50% of the deposited amount on furnishing usual undertaking and 25% is allowed to be withdrawn on giving solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
3. Considering above position, following order :

ORDER

- (I) The civil application stands allowed.
- (II) The applicants are permitted to withdraw 50% of the deposited amount with accrued interest on giving usual undertaking. Further 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. Remaining amount be kept in a fixed deposit in any Nationalized

Bank till disposal of the appeal.

(III) With this, the civil application stands disposed of.

CIVIL APPLICATION NO. 3064 OF 2024 :

1. Since the amount is already deposited in the office of this Court, the civil application stands allowed in terms of prayer clause (B).

2. The civil application stands disposed of.

(KISHORE C. SANT, J.)

P.S.B.