

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

25 CIVIL APPLICATION NO. 3395 OF 2025
IN FA/1284/2021

Ashok Sudam Lokre And Ors

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

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AND

26 CIVIL APPLICATION NO. 3396 OF 2025
IN FA/1283/2021

Bhujang Narhari Andhale And Anr

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

.....

AND

27 CIVIL APPLICATION NO. 3397 OF 2025
IN FA/1285/2021

Uttam Ashruba Andhale And Ors

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

.....

AND

28 CIVIL APPLICATION NO. 3398 OF 2025
IN FA/1288/2021

Sampati Dadarao Khade

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

.....

AND

29 CIVIL APPLICATION NO. 3399 OF 2025
IN FA/1333/2021

Sukhdeo Mahadeo Andhale

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

.....

AND

**30 CIVIL APPLICATION NO. 3400 OF 2025
IN FA/1282/2021**

Dagdu Dadarao Khade (died) Thr Lrs Sominath And Ors

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

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AND

**31 CIVIL APPLICATION NO. 3402 OF 2025
IN FA/1286/2021**

Raosaheb Ashruba Andhale And Anr

Versus

The Ex. Engineer, Irri. Div. Beed And Anr

.....

AND

**32 CIVIL APPLICATION NO. 3403 OF 2025
IN FA/1287/2021**

Bappasaheb Vaijinath Andhale

Versus

The Ex. Engineer, Irrigation Div. Beed And Anr

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Shri. Rajendr G. Hange, Advocate for the Applicants in all the matters
Shri. Suresh W. Munde, Advocate for Respondent No.1 in all the matters
Shri. Rajdeep D. Raut, Shri. D. J. Patil, R. B. Dhaware, the learned AGP
for the Respondent / State in the respective matters.

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CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 21, 2025

PER COURT :-

. These are the Applications by the Original Claimants, who are the Respondents in the Appeals, for withdrawal of the 25% amount remaining with this Court out of the 75% amount deposited by the Acquiring Body.

2. The learned Advocate for the Applicants submits that the Acquiring Body has deposited only 75% amount under the Award and the Applicants have withdrawn 50% amount of the said 75% amount deposited by the Acquiring Body, by order of this Court dated 27.10.2013. He submits that, this Court by order dated 19.01.2024 in connected matters arising out of the same Award i.e. Civil Application No.14628 of 2023 in First Appeal No.2434 of 2022, has permitted the Applicants therein to withdraw the remaining 25% amount deposited with this Court. He submits that, in this view, the Applications be allowed.

3. The Applications are opposed by the learned Advocate for the Acquiring Body. He submits that the hike is ten (10) times by the learned Reference Court and therefore, 75% amount has been deposited with this Court. He submits that the Applications be rejected. However, he does not dispute the said aspect that in connected matters arising out of the same Award i.e. in Civil Application No.14628 of 2023 in First Appeal No.2434 of 2022, the Applicants therein are permitted to withdraw remaining 25% amount.

4. The learned AGP appearing for the State submits that appropriate orders be passed.

5. After hearing both the sides and considering the aspect that this Court has allowed the Applicants in the connected matters arising out of the same Award to withdraw remaining 25% amount on furnishing regular undertaking, the Applicants herein are allowed to withdraw 25% amount remaining with this Court along with accrued interest thereon on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. Applications stand disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP