



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

16 CIVIL APPLICATION NO. 400 OF 2025
IN/WITH FAST/10486/2021

Sunitabai Kisan Choudhari And Anr
VERSUS
The State of Maharashtra, Through The Collector, Osmanabad

...
Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents: Mr. Rajkumar B. Dhaware
Advocate for Respondents : Ms. Sunita D. Shelke

...

AND
CIVIL APPLICATION NO. 7200 OF 2021
IN/WITH FAST/10486/2021

The Ex. Engineer, Irrigation Project Streng. Div. Osmanabad
VERSUS
Sunitabai Kisan Choudhari And Ors

...
Advocate for Applicant : Ms. Sunita D. Shelke
AGP for Respondents: Mr. Rajkumar D. Dhaware
Advocate for Respondents : Mr. A.B. Kale

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AND
CIVIL APPLICATION NO. 7203 OF 2021
IN/WITH FAST/10650/2021

The Ex. Engineer, Irrigation Project Streng. Div. Osmanabad
VERSUS
Savita Chandrakant Patil and Ors

...
Advocate for Applicant : Ms. Sunita D. Shelke
AGP for Respondents: Mr. Rajkumar D. Dhaware
Advocate for Respondents : Ms. Sakshi A. Kale h/f Mr. A.B. Kale

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 13th JANUARY 2025

PER COURT :-

1. Civil application No. 400 of 2025 has been filed for withdrawal of the amount deposited in this Court by the appellant. The applicants are original claimants. The application is vehemently opposed by the learned advocate Ms. Shelke. However, considering the amount involved and the rate granted by the reference court, this court is passing the following order:-

ORDER

- I) The application is partly allowed.
 - II. The applicants are allowed to withdraw 50% of the deposited amount alongwith accrued interest on furnishing usual undertaking.
 - III. Further 25% amount is allowed to be withdrawn alongwith accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
 - IV) Remaining amount shall be invested in fixed deposit in any nationalized bank to be renewed periodically till disposal of the appeal.
2. Civil application No. 7200 of 2021 and civil application No. 7203 of 2021 are filed for grant of stay to the impugned judgment and

award passed by the reference court. Learned advocate for the applicants and the respondents submit that entire amount as per award is deposited. In view of the said statement, civil applications for stay are disposed of as infructuous.

3. The first appeals are **admitted**.
4. Call for record and proceedings.
5. Learned advocates for the respective respondents waive service.

(SANJAY A. DESHMUKH, J.)

rlj/