



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO. 4349 OF 2025
IN FA/904/2020

Raosaheb Bhanudas Jadhav (died)
Thr Lrs Nagarbai And OrsApplicants

VERSUS

Executive Engineer, Irrigation Project
Strengthening Division, OmergaRespondent

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WITH

CIVIL APPLICATION NO. 4353 OF 2025
IN FA/906/2020

Tulsabai Sahebrao Jadhav (died)
Thr Lrs Suman And Ors.Applicants

VERSUS

Executive Engineer, Irrigation
Project Strengthening Division, OmergaRespondent

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WITH

CIVIL APPLICATION NO. 4350 OF 2025
IN FA/905/2020

Rajkumar Hariba Shinde And Ors.Applicants

VERSUS

Executive Engineer, Irrigation Project
Strengthening Division, OmergaRespondent

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WITH

CIVIL APPLICATION NO. 4354 OF 2025
IN FA/908/2020

Indrajeet Narsu Shinde And Ors.Applicant

VERSUS

Executive Engineer, Irrigation
Project Strengthening Division, OmergaRespondent

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Mr. L. C. Patil, Advocate for the Applicant/s
Mr. Rajdeep D. Raut, AGP for the Respondents – State
Ms. Sunita G. Shelke, Advocate for Respondent No.1

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CORAM : NEERAJ P. DHOTE, J.

DATE : 17.04.2025

PER COURT :

1. These are the Applications by the Respondents - Claimants for withdrawal of the remaining amount deposited by the Acquiring Body along with interest accrued thereon. The Applicants are the Original Claimants. The Appeal is filed by the Acquiring Body.

2. It is submitted by the learned Advocate for the Applicants that, in connected L.A.Rs, the Acquiring Body has not filed Appeal and these are only Appeals out of the same Acquisition Proceedings. He submits that, the Applicants have withdrawn 75% amount deposited by the Acquiring Body. He submits that, in similar situation, this Court in Civil Application No.6170/2024 in First Appeal No.2657/2019 and in Civil Application No.3360/2025 in First Appeal No.3319/2017 along with Civil Application No.3370/2025 in First Appeal No.3320/2017 and Civil Application No.3371/2025 in First Appeal No.3318/2017 allowed the similar request. He also tenders across the bar a copy of orders dated 27/03/2025 and 08/04/2025, passed by this Court in a group of Applications being Civil Application No.6416/2024 in First Appeal No.3865/2019 and Civil Application No.3360/2025 in First Appeal No.3319/2017 and connected Applications.

3. Learned Advocate for the Acquiring Body opposes the Applications, however, he do not dispute about the aforesaid aspect.

4. Learned AGP for Respondent Nos.2 and 3 / State submits that appropriate orders be passed.

5. There is no dispute that by order dated 27/09/2024 passed in the aforesaid Civil Applications, this Court had considered and granted similar prayer. The Applicants herein are ready to furnish solvent surety / security towards withdrawal of the remaining 25% amount along with interest accrued thereon.

6. In view of the above, there is no impediment to allow the Applications and the same are allowed in terms of Prayer Clause - 'B' therein, subject to furnishing solvent surety / security by the Applicants against the said withdrawal to the satisfaction of Registrar [Judicial] of this Court.

7. Civil Applications stand disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025