



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

**955 CIVIL APPLICATION NO. 7207 OF 2025
IN FAST/11083/2025**

SURESH ALIAS SHIVERUDRAPPA PRATAPAPPA WALE

VERSUS

THE EXECUTIVE ENGINEER, IRRIGAION PROJECT AND ORS

...

WITH

CIVIL APPLICATION NO. 7201 OF 2025
IN FAST/11726/2025

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Advocate for the Applicant in both applications: Manoj Dharmaraj Shinde

AGP for Respondent/State in both applications : Mr.D.B.Bhange

Advocate for Respondent No.1 in all applications:Mr.Radhakrushna Ingole

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CORAM : SHAILESH P. BRAHME, J.

DATE : 31st JULY 2025

PER COURT :

1. Applicants are original claimants who are seeking permission to withdraw the amount deposited by the respondent/acquiring body.

2. Following is the break up of the amounts deposited by the respondent/acquiring body in each appeal.

Sr.No.	Days of delay	CA in respective FA's	Amount (in Rs.)
1	3693	7207 of 2025	3,81,19,947/-
2	3697	7201 of 2025	3,10,664/-
3	3697	4469 of 2025	57,78,360/-
4	3697	4465 of 2025	51,06,984/-

3. It is submitted that in two appeals, separate applications have been filed seeking withdrawal of the amount. In last two appeals, it is informed by learned counsel Mr.Shinde that the steps are required to be taken against the claimants who passed award. He makes a statement that he has received instructions to take steps and to appear for the proposed heirs. Relying on his statement, this Court is inclined to pass the order in all the appeals.

4. Learned counsel for the acquiring body opposes the request for withdrawal of amount. My attention is adverted to the common orders passed by the co-ordinate bench permitting the claimants to receive 75% of the amount. I find no difficulty in following the same course.

5. It is requested by learned counsel for the applicants that in First Appeal Stamp No. 11726 of 2025 filed against Balaji Subhash Gavade, amount of compensation is very meager to the tune of Rs.3,10,664/- It is prayed that the same would be disbursed on furnishing undertaking. I am inclined to accept the request. The claimants in that matter i.e Balaji Subhash Gavade shall be disbursed the amount with accrued interest on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court.

6. Both the civil applications are partly allowed.

7. In the remaining appeals, the claimants shall be disbursed 50% of the amount with accrued interest on furnishing undertaking and

further 25% of the amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

8. Balance amount shall be invested in nationalized bank.

[SHAILESH P BRAHME, J.]

vsj..