



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

**19 CIVIL APPLICATION NO. 7368 OF 2025
IN FA/1531/2012**

RAMESH @ RAMAKANT S/O VAIJANATH HUDGE
VERSUS

THE GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION THROUGH ITS EXECUTIVE ENGINEER AND ANR.

WITH

**CIVIL APPLICATION NO. 7370 OF 2025
IN FA/1535/2012**

BABURAO GANPATRAO TELANGE AND ANR
VERSUS

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
THROUGH ITS EXECUTIVE ENGINEER LATUR AND ANR

WITH

**CIVIL APPLICATION NO. 7369 OF 2025
IN FA/1534/2012**

VAIJNATH BABURAO DIED ARUN VAIJNATH HUDAGE AND ANR
VERSUS

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
THROUGH ITS EXECUTIVE ENGINEER LATUR AND ANR

Mr. G.K. Sontakke, Advocate for the applicants.
Mr. R.B. Dhaware, AGP for the respondent-State.

**CORAM : KISHORE C. SANT, J.
DATE : 24.07.2025**

PC :-

01. Heard learned Advocates for the parties. By way of present applications, the applicants have prayed for modification of order passed by this Court dated 23.06.2017 to some extent. This Court by the said order, had permitted the applicants to withdraw 40% of the amount deposited in this Court on furnishing undertaking. Balance 60% of the amount was allowed to be withdrawn by submitting bank guarantee of

any nationalized bank to the satisfaction of Registrar (Judicial) of this Court.

02. Learned Advocate for the applicants submits that subsequent to passing of this order, there are other orders passed in the matters arising out of the same acquisition proceedings, wherein the amount is directed to be withdrawn only on furnishing security and undertaking to the satisfaction of learned Registrar (Judicial) of this Court. He relied upon such order passed by this Court.

03. Learned AGP opposes the prayer, however, accepts that in similar matters, orders are passed permitting the claimants to withdraw amount only on undertaking and security.

04. Considering the above, following order.

- (i) The order dated 23.06.2017 stands modified.
- (ii) Clause (2) of the said order shall be read as – “Applicants are permitted to withdraw balance 60% of the amount on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial) of this Court”.
- (iii) The civil applications are accordingly allowed and are disposed off.

[KISHORE C. SANT, J.]