



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

959 CIVIL APPLICATION NO. 4071 OF 2025

IN FA/756/2025

ANANDRAO TEJRAO FUND

VERSUS

**THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR,
OSMANABAD AND ORS**

WITH

CIVIL APPLICATION NO. 343 OF 2021

IN FA/756/2025

**THE EXECUTIVE ENGINEER, IRRIGATION PROJECT
STRENGTHENING DIV. OMERGA, OSMANABAD AND OTHERS**

VERSUS

ANANDRAO TEJRAO FUND

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Mr. L. C. Patil, Advocate for the Applicants and for the respondent in
CA No.343/2021

Mr. D. B. Bhange, AGP for Respondents-State

Mr. S. G. Bhalerao, Advocate for Respondent No.3 and for the
applicants in CA No.343/2021

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 02.05.2025

PER COURT :-

1. Learned Advocate for the applicants relies on the order dated 10.10.2024 passed in Civil Application No.7954 of 2024 in First Appeal No.1210 of 2020, so also, in Civil Application No.12298 of 2023 in First Appeal No. 37 of 2016, order dated 13.10.2023 and order dated 16.09.2016 passed in Civil Application No.12539 of 2016 in First Appeal No.267 of 2016 arising out of same acquisition and submits that same course may be followed. Mr. Bhalerao accepts

that order relied by Mr. Patil pertains to same acquisition. In view of the same, following order is passed :

::ORDER::

- (i) The Civil Application stands allowed and disposed of.
- (ii) The Applicants are permitted to withdraw 50% of the amount deposited in this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) Remaining 50% amount alongwith accrued interest deposited is permitted to withdraw on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

APPLICATION FOR STAY

. Mr. Bhalerao, learned Advocate appearing for applicants submits that the entire amount as per the award passed by the Reference Court has been deposited with the Registry of this Court. His statement is supported by office endorsement. Hence, application is allowed in terms of prayer clause (B) and disposed of.

[S. G. CHAPALGAONKAR, J.]