



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

**966 CIVIL APPLICATION NO. 9319 OF 2025
IN FA/2026/2025**

UTTAM KISAN WANJARE

VERSUS

**THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIV. NO.1,
AURANGABAD**

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Advocate for Applicant : Mr. Pahune Nandkishor Jayaram.

AGP for Respondent/s-State : Mr. D. B. Bhange.

Advocate for Respondent No.1 : Mr. Ramdas B. Singare.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 26.08.2025

PER COURT :-

1. Heard both sides.
2. Present application is for withdrawal of amount of Rs.43,86,407/- deposited by the respondent/acquiring body.
3. The learned counsel Mr. Pahune-Patil relies on the order passed by Co-ordinate Bench on 17.10.2024 permitting the applicants to receive 100% of the amount on furnishing undertaking. This Court has to be consistent in passing the orders. On the ground of parity, the applicant is entitled to receive the amount.

4. Civil Application is allowed by permitting the applicant to receive the amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

In First Appeal

5. **Admit.**

6. Learned counsel Mr. Pahune-Patil waives service of notice for respondent No.1. Learned AGP waives service of notice for respondent/s-State.

7. Call for Record and Proceedings from the concerned Court if not called.

(SHAILESH P. BRAHME, J.)

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vmk/-