



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 **CIVIL APPLICATION NO. 11509 OF 2025**
IN FA/3908/2022

KASHINATH NIVRUTTI GAWARE.

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO.2, OSMANABAD
THROUGH G.M.I.D.C., AURANGABAD AND OTHERS

WITH

CIVIL APPLICATION NO. 11510 OF 2025
IN FA/3909/2022

GANPATI NIVRUTTI GAWARE

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO.2, OSMANABAD
THROUGH G.M.I.D.C., AURANGABAD AND OTHERS

WITH

CIVIL APPLICATION NO. 11511 OF 2025
IN FA/3907/2022

LAXMIBAI W/O. GANPATI GAWARE

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO.2, OSMANABAD
THROUGH G.M.I.D.C., AURANGABAD AND OTHERS

WITH

CIVIL APPLICATION NO. 11512 OF 2025
IN FA/3906/2022

KALYAN NIVRUTTI GAWARE

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO.2, OSMANABAD
THROUGH G.M.I.D.C., AURANGABAD AND OTHERS

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Advocate for Applicant : Mr. Sushant Baburao Choudhari

Advocate for Respondent No.1 : Ms. V. S. Swami h/f. Mr. M. C. Swami

AGP for Respondent Nos.2 and 3 : Mr. D. R. Korade

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 15 OCTOBER 2025

PER COURT :

1. Heard rival submissions.
2. The respective applicants in these Applications are seeking withdrawal of the entire amount of compensation, which has been deposited by the acquiring body along with the interest accrued thereon. It appears that, the acquiring body has deposited entire amount of the impugned award.
3. Learned counsel submits that, this Court in similar matters i.e. in Civil Application No. 6439 of 2023 in FA/4272/2022 and other connected Applications, has permitted the similarly placed claimants to withdraw 75% amount on furnishing usual undertaking and 25% amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this court.
4. The learned counsel for the acquiring body opposed the application for withdrawal of entire amount.
5. The applicants - original claimants are permitted to

withdraw their respective amounts of compensation along with accrued interest thereon i.e. 70% amount on furnishing usual undertaking and 30% amount on furnishing solvent/security to the satisfaction of learned Registrar (Judicial) of this Court.

6. The Civil Application is accordingly disposed off.

(ABHAY S. WAGHWASE, J.)