



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

**CIVIL APPLICATION NO. 3448 OF 2025
IN FA/3391/2015**

**SHAMRAO TUKARAM YEDAKE DEAD THR LRS MARUTI DIED
THR. LRS SARUBAI MARUTI YEDKE AND ORS**

VERSUS

**THE EXECUTIVE ENGINEER, IRRIGATION PROJECT MAJBUTIKARN
DIVISION, OMERGA AND OTHERS**

AND

**CIVIL APPLICATION NO. 3450 OF 2025
IN FA/3390/2015**

RAOSAHEB KISHNAR SURYAWANSHI

VERSUS

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

AND

**CIVIL APPLICATION NO. 3451 OF 2025
IN FA/3392/2015**

VISHWANATH BABANNA TELI

VERSUS

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

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Advocate for Applicants : Mrs. Laxmi R. Thakur h/f Mr. L.C. patil

AGP for Respondent No.1 & 2 : Mr. S.M. Ganachari

Advocate for Respondent No.3 : Mr. Arjun R. Lukhe h/f Mr. A.S. Shelke

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CORAM : SHAILESH P. BRAHME, J.

DATE : 28th MARCH 2025

PER COURT :

1. These applications are for withdrawal of amount which is

deposited by the Respondent/Acquiring Body. It is informed that an amount of Rs.24,74,125/- in all is deposited in these three appeals. Learned Counsel for the Applicants submits that in similar situated matters, the claimants-Applicants were permitted to withdraw the amount vide order dated 23.01.2025 passed in Civil Application No.974/2025 in First Appeal No.2461/2019.

2. I have gone through the order dated 23.01.2025. I also adopt the same course for permitting the Applicants to withdraw the amount. The Applicants are entitled to withdraw 50% of the amount deposited in this Court on furnishing usual undertaking and 15% on furnishing solvent surety and the balance amount be deposited in fixed deposit in any nationalized bank till disposal of the appeals.

3. The Civil Applications are allowed in following terms :

(i) The Applicants shall withdraw 50% of the amount, deposited in respective First Appeals, on furnishing usual undertaking and 15% on furnishing solvent surety.

(ii) The balance amount be deposited in fixed deposit in any nationalized bank till disposal of the appeals.

**SHAILESH P BRAHME
JUDGE**