



(This order is corrected as per speaking to the minutes order dated 24.12.2025)

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

**59 CIVIL APPLICATION NO. 13746 OF 2025
IN FA/3057/2025**

SUMAN VIJAY JADHAV

VERSUS

**THE EXECUTIVE ENGINEER IRRIGATION PROJECT
STRENGTHENING DIVISION OMERGA**

AND

**60 CIVIL APPLICATION NO. 13747 OF 2025
IN FA/3069/2025**

UTTAM SHYAMRAO THITE

VERSUS

**THE EXECUTIVE ENGINEER IRRIGATION PROJECT
STRENGTHENING DIVISION OMERGA**

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Advocate for Applicants : Mr. Vivekanand B. Deshmukh.
AGPs for Respondents-State : Mr. N. R. Dayma, Mr. S. V. Hange,
respectively.

Advocate for Respondents : Mr. R. D. Borde h/f Mr. Uday S
Malte.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18.12.2025

PER COURT :-

1. Heard both sides.
2. Applicants seek to withdraw amount of Rs.11,38,707/- and Rs.23,50,068/- deposited by the acquiring body. For the reasons stated in the applications and considering overall circumstances, ends of the justice would be met in permitting the applicants to receive the amount on certain conditions.

3. Civil applications are allowed partly permitting the applicants to receive **50%** of the amount with accrued interest on furnishing undertaking and balance amount of Rs.25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

4. The claimants shall be at liberty to withdraw the execution petition for being satisfied partially and in that case they would be at liberty to file execution for remaining amount in future, if so required.

In First Appeals

5. **Admit.**

6. Learned AGPs waive service of notice for the respondents/State.

7. Call for Record and Proceedings from the concerned Court.

8. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

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vmk/-