



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 CIVIL APPLICATION NO. 13790 OF 2025
IN FA/2898/2024

MANASI @ VIJAYA THALKARI

VERSUS

THE EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT
STRENGT. DIV. OMERGA, OSMANABAD

WITH CIVIL APPLICATION NO. 13791 OF 2025
IN FA/2898/2024 WITH CIVIL APPLICATION NO. 7348 OF
2024 IN FA/2898/2024

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Advocate for Applicant : Mr. Wakure Sanjay A.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.1 : Mr. Shelke Avishkar S.

Advocate for Respondent Nos.3 to 9 : Ms. L. R. Tahkur h/f Mr.
L. C. Patil.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 16.12.2025

PER COURT :-

1. These applications are for withdrawal of amount of Rs.79,08,246/- with accrued interest deposited by the respondent/acquiring body.

2. The applicants are legal heirs of deceased Jagannath Dulange. They are entitled to compensation in equal proportion. In similarly situated matters, this Court permitted the claimants to receive 75% of the amount on furnishing

undertaking. The same course needs to be followed in the present appeal also.

3. Civil application for withdrawal is allowed partly. Applicants are entitled to receive 75% of the amount with accrued interest on furnishing undertaking equally. The balance amount shall be invested in the nationalized bank.

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

First Appeal

5. **Admit.**

6. Learned AGP waives service of notice for respondents-State. Learned counsel Ms. L. R. Tahkur holding for Mr. L. C. Patil waives service of notice for respondents/claimants.

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

8. Print is dispensed with.

Civil Application for Stay

9. As the entire amount has been deposited in pursuance of the order of this Court, ad-interim relief granted earlier, if any, shall stand confirm.

10. Civil application for stay is disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-