



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

935 CIVIL APPLICATION NO. 10947 OF 2025

IN FAST/38262/2023

PARUBA KAHUNU GAYAKE

VERSUS

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA

WITH

CIVIL APPLICATION NO. 1791 OF 2024

IN FAST/38262/2023

THE EX. ENGINEER, MINOR IRRIGATION DIV. JALNA NOW J.M.I.D. JALNA UNDER
GMIDC AND ORS

VERSUS

PARUBA KAHNU GAYAKE

WITH

CIVIL APPLICATION NO. 1793 OF 2024

IN FAST/38262/2023

THE EX. ENGINEER, MINOR IRRIGATION DIV. JALNA NOW J.M.I.D. JALNA UNDER
GMIDC AND ORS

VERSUS

PARUBA KAHNU GAYAKE

Mr.A.H. Koralkar, Advocate for the claimant.

Mr.B.R. Survase, Advocate for the Acquiring Body.

Ms.R.R. Tandale, AGP for the State.

CORAM : KISHORE C. SANT, J.

DATE : 04.10.2025

PC :-

CIVIL APPLICATION FOR WITHDRAWAL OF AMOUNT

01. Heard. This application is for withdrawal of the amount deposited by the Acquiring Body/appellant in the office of this Court along with interest. In similar matter, this Court has allowed the applicants to withdraw 75% of the amount. Considering the same, following order.

i) The applicants are allowed to withdraw 50% of the

amount deposited along with accrued interest on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn along with accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. Remaining amount shall be invested in fixed deposit of any nationalized bank to be renewed from time to time till disposal of the appeal.

- ii) This Civil Application is accordingly allowed and is disposed off.

CIVIL APPLICATION FOR STAY

01. Since the appellant-applicant has already deposited entire amount as per impugned judgment and award, in the office of this Court, there shall be stay to the impugned judgment and award till decision of the appeal.

02. The Civil Application for stay accordingly stands disposed off.

CIVIL APPLICATION FOR CONDONATION OF DELAY

01. This application is filed for condonation of delay caused in filing appeal.

02. For the reasons stated in the application, the delay stands condoned. This Civil Application is accordingly allowed and is disposed off.

FIRST APPEAL

01. Heard. Issue notice to the respondents, returnable on 15.12.2025.
02. Learned Advocate Mr. Koralkar waives service of notice for all the respondents.
03. Call for record and proceedings.

[KISHORE C. SANT, J.]