



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

924 CIVIL APPLICATION NO. 3978 OF 2026

IN FA/2879/2025

**RAM APPARAO KHYADE DIED THROUGH LRS BHARATBAI
RAM KHYADE**

VERSUS

**THE EXECUTIVE ENGINEER BENITURA MEDIUM PROJECT
DIVISION IRRIGATION DEPARTMENT OMERGA DIST
OSMANABAD**

WITH

CIVIL APPLICATION NO. 3984 OF 2026

IN FA/2878/2025

RAJNIKANT SURESH KADAM

VERSUS

**THE EXECUTIVE ENGINEER BENITURA MEDIUM PROJECT
DIVISION IRRIGATION DEPARTMENT OMERGA DIST
OSMANABAD**

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Advocate for Applicants : Mr. Ambade Pradeep Vilasrao.

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

Advocate for Respective Respondent/s : Adv. Snehal P.
(Mahajan).

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CORAM : SHAILESH P. BRAHME, J.

DATE : 05.05.2026

PER COURT :-

1. Heard both sides.
2. Applicants seek to withdraw amount of Rs.35,45,806/- and Rs.9,90,742/- deposited in respective appeals.
3. Applications are contested by the respondents. It is submitted that the enhancement is more than 7 times.

4. The ends of justice would be met in permitting to withhold 25% of the amount so as to safeguard the interest of acquiring body. Acquiring body deposited entire amount with interest in this Court in both matters.

5. Applications are allowed partly permitting the applicants to receive 50% amount with accrued interest on furnishing undertaking and further 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

6. Balance amount shall be invested in any nationalize bank.

(SHAILESH P. BRAHME, J.)

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vmk/-