



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

**2 CIVIL APPLICATION NO. 5241 OF 2026
IN FA/3038/2023**

HARIBHAHU VISHNU GAVALI

VERSUS

**THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING
MAJBUTIKARAN DIVISION OMERGA**

...

Mr. Santosh N. Patne, Advocate for Applicant.

Mr. S. B. Jadhav, AGP for Respondent-State.

Ms. Sunita D. Shelke, Advocate for Respondent.

...

WITH

**CIVIL APPLICATION NO. 5033 OF 2023
IN FA/3042/2023**

THE EX. ENGINEER, P.M.V OMERGA DIST OSMANABAD AND ORS

VERSUS

SUDHAKAR DATTU GAWALI

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.

Mr. S. B. Jadhav, AGP for Respondent-State.

Mr. Santosh N. Patne, Advocate for Respondent.

WITH

**CIVIL APPLICATION NO. 5035 OF 2023
IN FA/3043/2023**

THE EX. ENGINEER, P.M.V OMERGA DIST OSMANABAD AND ORS

VERSUS

SAU SUNITA RAM MORE

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.

Mr. S. B. Jadhav, AGP for Respondent-State.

Mr. Santosh N. Patne, Advocate for Respondent.

WITH

**CIVIL APPLICATION NO. 5037 OF 2023
IN FA/3041/2023**

THE EX. ENGINEER, P.M.V OMERGA DIST OSMANABAD AND ORS
VERSUS
KISAN YESHWANT JADHAV

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Mr. Santosh N. Patne, Advocate for Respondent.

WITH
CIVIL APPLICATION NO. 5029 OF 2023
IN FA/3044/2023

THE EX. ENGINEER, P.M.V OMERGA DIST OSMANABAD AND ORS
VERSUS
NANA PANDIT JADHAV AND ORS

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Mr. Santosh N. Patne, Advocate for Respondent Nos.1 and 2.

WITH
CIVIL APPLICATION NO. 5031 OF 2023
IN FA/3040/2023

EX. ENGINEER, PATBANDHARE MAJBUTIKARAN VIBHAG OMERGA
AND ORS
VERSUS
VASANT MADHAV LOME (DIED) INDRAJEET VASANT LOMTE AND
ORS

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Mr. Santosh N. Patne, Advocate for Respondent Nos.1 to 3.

WITH
CIVIL APPLICATION NO. 5025 OF 2023
IN FA/3038/2023

THE EX. ENGINEER, P.M.V OMERGA DIST OSMANABAD AND ORS
VERSUS
HARIBHAU VISHNU GAWALI

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.

Mr. Santosh N. Patne, Advocate for Respondent.

WITH
CIVIL APPLICATION NO. 5027 OF 2023
IN FA/3039/2023

THE EX. ENGINEER, PM.V OMERGA DIST OSMANABAD AND ORS
VERSUS
BABAN BALI GAWALI (DIED) THR HIS LRS CHANDRAKALA BABAN
GAWALI

...

Ms. Sunita Dasharat Shelke, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Mr. Santosh N. Patne, Advocate for Respondent.

WITH
CIVIL APPLICATION NO. 5249 OF 2026
IN FA/3041/2023

KISAN YASHVANT JADHAV
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING
MAJBUTIKARAN DIVISION OMERGA

...

Mr. Santosh N. Patne, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Ms. Sunita D. Shelke, Advocate for Respondent.

WITH
CIVIL APPLICATION NO. 5242 OF 2026
IN FA/3040/2023

VASANT MADHAV LOMTE DIED LRS INDRAJIT VASAT LOMTE AND
OTHERS
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING
MAJBUTIKARAN DIVISION OMERGA

...

Mr. Santosh N. Patne, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Ms. Sunita D. Shelke, Advocate for Respondent.

WITH

**CIVIL APPLICATION NO. 5244 OF 2026
IN FA/3039/2023**

BABAN BALI GAVALI DIED CHANDRAKALA BABAN GAVALI
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING
MAJBUTIKARAN DIVISION OMERGA

...

Mr. Santosh N. Patne, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Ms. Sunita D. Shelke, Advocate for Respondent.

**WITH
CIVIL APPLICATION NO. 5039 OF 2023
IN FA/3045/2023**

EX. ENGINEER, PATBANDHARE MAJBUTIKARAN VIBHAG OMERGA
AND ORS
VERSUS
NAGNATH JAGNNATH JADHAV

...

Ms. Sunita Dasharat Shelke, Advocate for Applicants.
Mr. S. B. Jadhav, AGP for Respondent-State.

**WITH
CIVIL APPLICATION NO. 5245 OF 2026
IN FA/3043/2023**

SUNITA RAM MORE
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING
MAJBUTIKARAN DIVISION OMERGA

...

Mr. Santosh N. Patne, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Ms. Sunita D. Shelke, Advocate for Respondent.

**WITH
CIVIL APPLICATION NO. 5248 OF 2026
IN FA/3042/2023**

SUDHAKAR DATTU GAAVALI
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING

MAJBUTIKARAN DIVISION OMERGA

...

Mr. Santosh N. Patne, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Ms. Sunita D. Shelke, Advocate for Respondent.

WITH
CIVIL APPLICATION NO. 5246 OF 2026
IN FA/3044/2023

NANA PANDIT JADHAV AND OTHER

VERSUS

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHING
MAJBUTIKARAN DIVISION OMERGA DIST OSMANABAD

...

Mr. Santosh N. Patne, Advocate for Applicant.
Mr. S. B. Jadhav, AGP for Respondent-State.
Ms. Sunita D. Shelke, Advocate for Respondent.

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 5th MAY, 2026

P.C.:-

CIVIL APPLICATION/S FOR WITHDRAWAL OF AMOUNT:-

1. Heard learned Advocates for the respective parties. Mr. Patne, learned Advocate, appears for the Applicant.
2. By the present application, the Applicant seeks permission to withdraw the amount deposited by the acquiring body. The matter arises out of acquisition of the Applicant's land, which was acquired in the year 2004. The acquiring body has preferred an appeal against the award passed by the Reference Court, which is pending and is likely to take some time for final disposal.

3. Pursuant to the orders passed by this Court, the acquiring body has deposited the awarded amount before this Court.

4. Considering that the Applicants are agriculturists whose land has been acquired, and having regard to the fact that the appeal is pending and may take time for disposal, the application deserves to be partly allowed. Accordingly, the Applicants are permitted to withdraw 75% of the deposited amount, subject to filing an undertaking that, in the event the appeal is decided against them, they shall refund the withdrawn amount along with applicable interest.

FIRST APPEAL NOS.3038 OF 2023, 3042 OF 2023, 3043 OF 2023, 3041 OF 2023, 3044 OF 2023, 3040 OF 2023, 3039 OF 2023, 3045 OF 2023:-

5. Admit.

CIVIL APPLICATION/S FOR STAY:-

6. This Court has already stayed the impugned order vide its order dated 17.04.2023. In view thereof, the civil application/s are disposed of.

(SIDDHESHWAR S. THOMBRE, J.)