



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

**948 CIVIL APPLICATION NO. 5317 OF 2026
IN FA/2085/2025**

**TATYERAO DEVIDAS SO KISHAN KULKARNI DIED THR. LRS.
LAXMIBAI YESHAWANTRAO KULKARNI AND ORS.**

VERSUS

**THE EXECUTIVE ENGINEER, MINOR IRRIGATION
DIVISION, LATUR**

**WITH CIVIL APPLICATION NO. 5322 OF 2026 IN
FA/2089/2025 WITH CIVIL APPLICATION NO. 5323 OF 2026
IN FA/2086/2025 WITH CIVIL APPLICATION NO. 5321 OF
2026 IN FA/2093/2025 WITH CIVIL APPLICATION NO. 5319
OF 2026 IN FA/2087/2025**

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Advocate for Applicants : Mr. Namdev D. Kendre.
AGP for Respondent/s-State : Mr. G. O. Wattamwar.
Advocate for Respondent No. : Mr. B. R. Survase.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 05.05.2026**

PER COURT :-

1. Heard both sides.
2. Applicants seek to withdraw the amount deposited by the respondent/acquiring body.
3. It is pointed out that acquiring body was expected to deposit entire amount with accrued interest in each appeal. But amount of less than 50% is deposited in each appeal. Under similar circumstances, this Court permitted the claimants to

receive the deposited amount with accrued interest. My attention is adverted to the common order dated 21.04.2026.

4. Learned counsel Mr. Survase concedes to the fact that entire amount in each matter has not been deposited.

5. The amount deposited shall be disbursed with accrued interest to the claimants on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

6. Civil applications are partly allowed by permitting the applicants to receive the amount despoited with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

7. Respondent/acquiring body shall make endeavor to comply earlier order.

(SHAILESH P. BRAHME, J.)

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