

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

955 CIVIL APPLICATION NO. 13473 OF 2012 In FAST/15564/2011 With  
CA/13369/2012 ,In FAST/23612/2012 ,With CA/13468/2012 ,In  
FAST/15600/2011 ,With CA/13470/2012 ,In FAST/15610/2011 ,With  
CA/13471/2012 ,In FAST/15589/2011 ,With CA/13472/2012 ,In  
FAST/15583/2011 ,With CA/13474/2012 ,In FAST/15578/2011 ,With  
CA/13475/2012 ,In FAST/15592/2011 ,With CA/13476/2012 ,In  
FAST/15457/2011

NARAYAN VISHWANATH SAWANT, DIED THR. L.RS. PADMINI AND  
ORS  
VERSUS  
EXECUTIVE ENGINEER, BEED MINOR IRRIGATION DIVISION AND ANR

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Advocate for Applicant : Mr. Chapalgaonkar S.g.  
AGP for Respondents: Mr. B.J.Sonwane R-1  
B R Surwase adv For R/1

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CORAM : S V GANGAPURWALA, J.  
Dated: November 30, 2012

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PER COURT :-

1. These are the applications for withdrawal of the amount. Shri Survase, the learned counsel and learned AGP opposes the application on the ground that the Reference Court has awarded exorbitant compensation amount. The Reference Court has enhanced the compensation amount more than four times.

2. Today, the award is in favour of the applicants. It is in nobody's interest to keep the amount idle. At the same time, the amount deposited needs to be safeguarded. In light of above, I pass following order:

a] The applicants are allowed to withdraw 25% of the amount

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on submitting an undertaking to this court, that in the event if the appeal is allowed and the applicants are required to deposit the amount, they shall deposit the same.

b]           The applicants are also allowed to withdraw 25% of the amount deposited on furnishing solvent security of the like amount.

c]           The applicants are also allowed to withdraw 25% of the amount on furnishing Bank Guarantee of any Nationalized Bank.

d]           Remaining amount of 25% be kept in Fixed Deposit of any Nationalized Bank.

Civil           applications           are           disposed           of.

( S V GANGAPURWALA, J. )

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