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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 146 OF 2023

Executive Engineer, Small Irrigation Department,
Division, Kolhapur ... Appellant

Vs.

Vishnu S/o Govind Gawade
(Since deceased through Legal Heirs) & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 604 OF 2023
IN
FIRST APPEAL NO. 146 OF 2023

Vishnu S/o Govind Gawade
(Since deceased through Legal Heirs) & Ors. ...Applicants

In the matter between

Executive Engineer, Small Irrigation Department,
Division. Kolhapur ...Appellant

Versus

(Since deceased through Legal Heirs) & Ors. ...Respondents

Mr. Chaitrali Deshmukh (through V.C) for the Appellants
Mr. Avesh Ghadge h/f. Akshay Kulkarni for Respondent Nos.1 to 3.
Mr. A. A. Naik, AGP for Respondent Nos.3 & 5-State.

CORAM : M.M. SATHAYE, J.

DATE : 7th APRIL, 2026

P.C. :

1. It is not disputed that Respondent No.1 to 3 (Claimants) have already withdrawn 50% of the deposited amount as per order dated 23.01.2023 passed in IA/604/2023. In the said order, it is already directed that prayer for withdrawal of rest of the amount shall be

considered at the time of admission of appeal. Compilation of documents is already filed. Record and proceedings is also received.

2. In that view of the matter, issue notice of final disposal to the Respondents, returnable on 24.04.2026. Learned counsel for Respondent Nos.1 to 3 waives service and learned AGP waives service for Respondent Nos.4 & 5.

3. To be listed for 'final disposal' after urgent/circulated matters.

(M.M. SATHAYE, J.)