

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

**CIVIL APPLICATION NO.1285 OF 2017 IN CA 15377/2016 IN
FA 476/2015**

TUKARAM S/O TRIMBAK DONGARE (DIED) THROUGH LRS.
VERSUS
THE EXECUTIVE ENGINEER AND OTHERS.

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Mr D A Bide Advocate for applicant
Mr B V Virdhe AGP for Respondent no.2.

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CORAM : V.K. JADHAV, J.
Dated: January 25, 2017

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PER COURT :-

1. The learned counsel for the applicants submits that inadvertently, the name of respondent no.5 was not mentioned in the civil application seeking withdrawal of the amount deposited before this Court.
2. It appears from the appeal memo that, the present applicant No.1 Babasaheb Tukaram Dongre is added as respondent no.5 and he is also a party as a claimant in the proceedings before the Reference Court.
3. None appears for respondent no.1 Acquiring Body. However, the learned AGP appearing for respondent no.2 State has no objection.
4. In view of the above submissions and for the reasons stated in the application, application is allowed in terms of prayer clause 'B'.
5. Civil application accordingly disposed of.

(V.K. JADHAV, J.)

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