

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

963 CIVIL APPLICATION NO. 5537 OF 2017
IN FA/114/2017
SAKHARAM ATMARAM JOSHI DIED LRS SUSHILABAI DIED LRS
BALKRISHNA SAKHARAM JOSHI
VERSUS
THE EXECUTIVE ENGINEER M I DIVISION JALNA AND ORS

964 CIVIL APPLICATION NO. 5538 OF 2017
IN FA/115/2017
BALKRISHNA SAKHARAM JOSHI
VERSUS
THE EXECUTIVE ENGINEER, M.I. DIVISION, JALNA AND ORS

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Advocate for Applicant : Shri Patunkar Swapnil S.
AGP for Respondents: Shri S.P.Sonpawale and Shri C.V.Dharurkar.
Advocate for Respondents : Shri R. C. Patil for R/1.

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CORAM: V.K. JADHAV, J.

DATE :- 21st April, 2017

Per Court:

1 The learned counsel for the Applicants submits that the First Appeals are already disposed of in terms of the compromise arrived at between the parties before the Lok-Adalat held on 09.04.2016 and the Applicants, therefore, be permitted to withdraw the entire amount deposited before this Court.

2 The learned counsel for the Respondent/ Acquiring Body has

also not disputed this position. However, he submits that in the said compromise before the Lok-Adalat, the Applicants therein are permitted to withdraw the compensation to the extent of 87.5% whereas, the Acquiring Body could retain 12.5% of the amount. The Acquiring Body has deposited only 50% of the amount before this Court out of the amount awarded by the Reference Court.

3 In view of the above submissions, the Applicants are permitted to withdraw the entire amount of compensation deposited in this Court. The Civil Applications for withdrawal of amount are, accordingly, disposed of.

(V.K. JADHAV, J.)