

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

CIVIL APPLICATION NO.3948 OF 2016
IN
FIRST APPEAL NO.786 OF 2015

Executive Engineer (V.I.D.C.),
Medium Project Division,
Nagpur

..Applicant

Versus

Maruti Harbaji Khawashi
died, through L.Rs.Shivapal
Maruti Harbaji and ors.

..Respondents

Mrs Varsha Wasu Advocate for respondents no.1-a to 1-d
Mrs M.H. Deshmukh, A.G.P.for respondents no.2 to 4

CORAM : N.W. SAMBRE, J.

DATE : 11th April 2017

PER COURT

1. Vide order dated 26th September 2016, this Court has permitted the respondents no.1-a to 1-b (legal representatives of original claimant) to withdraw amount to the extent of 50% of the total amount deposited in this Court. The respondents-claimants have sought withdrawal of entire balance amount by the present application.

2. The said claim is objected by the learned Counsel for acquiring body, however, in my opinion, the order dated 26th September 2016 permitting withdrawal could be modified to the extent of permitting the present respondents-claimants to withdraw amount of 80% instead of 50% of the total amount in the proportion, as mentioned in the said order, upon furnishing undertaking to the satisfaction of Registrar (Judicial).

3. Civil Application stands disposed of accordingly.
4. By consent, matter be placed before the next Lok Adalat.

(N.W. SAMBRE, J.)

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