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

**931 CIVIL APPLICATION NO.449 OF 2019
IN FA/1110/2014**

BHAGWAT HARIBHAU POTDAR (DIED) THR LRS SUSHILA AND
ORS

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANABAD AND ANR

...

Advocate for Applicant : Mr. Ingale Vivekanand V.

AGP for Respondents : Mr. P.M. Kulkarni

Advocate for Respondent No.1 : Mr. S.R. Dheple

...

CORAM : P.R. BORA, J.

DATED : 09th JANUARY, 2019.

PER COURT:-

1. Heard Shri Ingale, the learned counsel appearing for the applicants and the Shri Dheple, the learned counsel appearing for the acquiring body.

2. After having perused the impugned judgment and the objections raised in exception to the said judgment, I deem it appropriate to pass the following order:

ORDER

- i) The application is allowed.
- ii) The applicants are permitted to withdraw 70% of the amount deposited in this court on submitting an undertaking to the

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satisfaction of the Registrar of this Court.

iii) Balance 30% of the amount be invested in Fixed Deposit Receipt in any nationalized bank for the period till disposal of the appeal.

iv) Civil application stands disposed of.

(P.R. BORA, J.)

Mujaheed//