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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

926 CIVIL APPLICATION NO.3583 OF 2019
IN FA/1743/2017

LALASAHEB DADASAHEB DESHMUKH, DIED, THROUGH L.RS. -
SUNITA AND OTHERS

VERSUS

GODAWARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
THROUGH THE EXECUTIVE ENGINEER AND ANOTHER

...

Advocate for Applicants : Shri Deshmukh Ramraje A.

Advocate for respondent no.1: Smt.Kalpalata Patil
Bharaswadkar

AGP for Respondent no.2: Shri P.M. Kulkarni

CORAM: V.L. ACHLIYA, J.

DATE: 03.04.2019

PER COURT :

1] The applicants have moved this application seeking further withdrawal of the balance amount of 50% lying invested in fixed deposit, for the reasons set out in the application.

2] Heard learned counsel for the applicants – claimants and the counsel representing the respondent no.1 – appellant as also the learned AGP for respondent no.2. Perused the order dated 12.6.2017 passed in the matter granting permission to withdraw the amount to the extent

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of 50% deposited by the acquiring body and to deposit remaining 50% of the amount in fixed deposit.

3] Considering the submissions advanced, I am of the view that no case is made out to entertain the application. While dealing with similar application vide order dated 12.6.2017, speaking order has been passed by this Court. After due consideration of the submissions, permission to withdraw the amount to the extent of 50% was granted by this Court. In absence of any change in circumstances, the application seeking further withdrawal of the amount deserves no consideration.

4] Accordingly, the application is rejected.

(V.L. ACHLIYA, J.)