

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

**1036 CIVIL APPLICATION NO.5749 OF 2017
IN FA/1545/2017**

DASHARTH CHANDRABHAN SHINDE (DECEASED) THR LRS BALASAHEB
AND ORS
VERSUS
THE EXECUTIVE ENGINEER, AUANGABAD IRRIGATION DIVISION,
AURANGABAD AND ANR

...
Advocate for Applicants : Mr. Kotkar Sanjay D.
AGP for Respondents/State : Mr. A.M. Phule
Advocate for Respondent No.1 : Absent.

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 30th AUGUST, 2019

ORDER :

. Nobody appears for respondent No.1-acquiring body. It appears that in this matter, the acquiring body has deposited amount of Rs.1,05,291/-. The appeal has been filed in order to challenge the quantum.

2. Taking into consideration the amount that was awarded by the Special Land Acquisition Officer and the enhancement in the rate granted by the reference Court, it would be just and proper to allow the applicants to withdraw amount of Rs.80,000/- and it be distributed between them

equally subject to filing an undertaking within a period of eight weeks that they would make the said amount good, if directed at the time of final disposal of the appeal.

2. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM