

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

**1037 CIVIL APPLICATION NO.4445 OF 2019
IN FA/5176/2017**

**WITH CA/4447/2019 IN FA/4595/2017
WITH CA/4448/2019 IN FA/4601/2017
WITH CA/4449/2019 IN FA/5175/2017
WITH CA/4450/2019 IN FA/4605/2017
WITH CA/4453/2019 IN FA/5179/2017
WITH CA/4456/2019 IN FA/5177/2017
WITH CA/4457/2019 IN FA/5185/2017
WITH CA/4458/2019 IN FA/4599/2017
WITH CA/4459/2019 IN FA/4602/2017**

**SHANTABAI VENKAT PAWAR (DIED) THR LRS MANGAL AND ANR
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
OSMANABAD AND ORS**

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Advocate for Applicants : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.1 : Mr. S.G. Sangle

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th SEPTEMBER, 2019.

ORDER :

. Present applications have been filed for withdrawal of the amount. The acquiring body has filed appeals challenging the quantum in all i.e. including the rate of interest, period of interest, compensation for trees etc. Under such circumstance, definitely, case is made out for partial

withdrawal of the amount. When the lands belonging to the applicants have been acquired, the applicants are entitled to withdraw 50% of the amount deposited. If there are more than one applicants, then the amount i.e. allowed to be withdrawn by them should be distributed to them equally.

2. Applicants shall file 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 appeals.

3. Civil Applications stand disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM