

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

**1048 CIVIL APPLICATION NO.11382 OF 2019
IN FA/4596/2017**

**KISAN GANU PAWAR (DIED) THR LRS HIRKANABAI AND ORS
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. U.P. Giri h/f Mr. S.G. Sangle

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount. The acquiring body has filed appeal challenging the quantum 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. Hence, applicants are allowed to withdraw 50% of the amount deposited and it be distributed between 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 appeal.
3. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM