

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

**989 CIVIL APPLICATION NO.7852 OF 2019
IN FAST/19849/2014
WITH CA/7853/2019 IN FAST/19804/2014
WITH CA/7854/2019 IN FAST/19843/2014**

**MAHADEO NARHARI NAIKNAWARE DIED THROUGH HIS LRS VIKRAM
(DIED) THR LRS MANGAL AND
VERSUS
EXECUTIVE ENGINEER OSMANABAD MINOR IRRIGATION DIVISION
OSMANABAD UNDER G M I D C**

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Advocate for Applicants : Mr. P.B. Rakhunde & Mr. B R Jaybhay
Advocate for Respondent No.1 : Mr. B. R. Surwase
AGP for Respondent No.2/State : Mr. P.M. Kulkarni
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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 12th JULY 2019

ORDER :

1. By this second application for withdrawal of the amount, the applicants are praying for withdrawal of 60% of the amount deposited by the non applicants. By earlier order dated 21.04.2017, they were allowed to withdraw 40% of the amount. The learned Advocate appearing for the applicants is relying on the Government Resolution dated 11.05.2018, wherein the Government had taken decision regarding non filing of appeals challenging the compensation, if it is four times of the value in the ready reckoner on the date of the notification under Section 4 of the Land Acquisition Act was issued.

2. Learned Advocate appearing for respondent No.1 submits that the appeal is not covered under the said Government Resolution. Taking into consideration this aspect and for the reasons which had been led by this Court while passing the order on 21.04.2017, the applicants are not allowed to withdraw the said amount of 60% at this stage.

3. Civil Applications stand disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/