

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

**1051 CIVIL APPLICATION NO.7445 OF 2019
IN FA/1288/2019**

**SHERKHAN MAULAKHAN PATHAN IED THR LRS KONDANBEE
SHERKHAN PATHAN AND ORS
VERSUS
THE EXECUTIVE ENGINEER MINR IRRIGATION DIVISION
OSMANABAD AND ANOTHER**

...
Advocate for Applicants : Mr. Wakure Sanjay A.
Advocate for Respondent No.1 : Mr. B. B. Gunjal
AGP for Respondent No.2 : Mr. P. M. Kulkarni
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 5th JULY 2019

ORDER :

1. Present application has been filed for withdrawal of the amount. Present respondent No.1 has deposited amount of Rs.7,06,798/- in this matter. The appeal has been filed by the acquiring body challenging the quantum.
2. Taking into consideration the fact that the land of the present applicant was acquired, definitely, case is made out for partial withdrawal of the amount.
3. Applicant Nos.1-A, 1-B and 1-C are allowed to withdraw amount of Rs.1,25,000/- each subject to giving undertaking within a

period of eight weeks that they would make good the said amount, if directed at the time of final disposal of the First Appeal.

4. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/