

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

**1006 CIVIL APPLICATION NO.11152 OF 2019
IN FA/523/2019**

**KADU KISAN PATIL (DIED) GAYABAI AND ORS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIVISION, JALGAON.AND ANR**

...
Advocate for Applicant : Mr. Patil Vinod Prakash
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.1 : Mr. S.S. Chillarge
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 13th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.1,39,08,384/- has been deposited in this matter. Learned Advocate appearing for the acquiring body submits that the acquiring body has filed the appeal challenging the quantum.

2. Taking into consideration the fact that the land of the applicants has been acquired, definitely, case is made out for partial withdrawal of the amount. Applicants are allowed to withdraw 50% of the amount deposited in this Court 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.

3. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM