

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14080 OF 2019

IN

FIRST APPEAL NO.1620 OF 2013

**(Sarvottam Madhavrao Ambegaonkar (Died) through L.Rs. Ujwala and
others Vs. Executive Engineer, Medium Project Division, Latur and
another)**

Mr. Vivek V. Bhavthankar, Advocate for the applicants

Mr. S.C. Arora, Advocate for respondent No.1

Mr. R.B. Bagul, A.G.P. for respondent No. 4/State

CORAM : MANGESH S. PATIL, J.

DATE : 03.12.2019

PER COURT :

Heard.

2. The applicants/original claimants have been allowed to withdraw the amount of compensation deposited in this Court to the extent of 50% by furnishing usual undertaking, by order dated 13.09.2019 passed in Civil Application No.5835/2019.

3. Now this application has been filed by the applicants mentioning that in fact, applicant Nos.1B, 1C, 1E and 2 have executed Power of Attorney in favour of applicant No.1D. Copies of the Power of Attorney have also been placed on record and therefore, the amount allowed to be withdrawn may be permitted to be withdrawn by applicant

Nos.1A and 1D for and on behalf of all the applicants.

4. The learned Advocate for the Acquiring Body submits that there seems to be some issue regarding proper execution of the Power of Attorney inasmuch as some of the applicants seem to have executed it in another country.

5. I have gone through the papers. Since all the applicants have put in common appearance and are now seeking modification to the extent mentioned hereinabove, I have no sufficient and cogent reason to discard the request when the Power of Attorney have also been placed on record.

6. The application is allowed. Applicant Nos.1A and 1D are allowed to withdraw the amount as per the order dated 13.09.2019 passed in Civil Application No.5835/2019 for and on behalf of all the applicants subject to furnishing the undertaking on usual terms.

[MANGESH S. PATIL]
JUDGE

npj/ca14080-2019