

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

CIVIL APPLICATION NO.12642 OF 2019 IN FA/3689/2016

VAIJINATH YADAVRAO AKAT (DIED) THR LRS MAHESH
VERSUS
THE EXECUTIVE ENGINEER NIMNA DUDHNA PRAKALP, SELU
PRESENTLY JALNA IRRIGATION DIV.

...
Advocate for Applicant : Mr. Ashwin V. Hon
Advocate for Respondents No.1 and 3 : Mr. Shyam C. Arora
AGP for Respondent No.2 : Mr. R. B. Bagul

...
CORAM : K.K. SONAWANE, J.

DATED : 04th FEBRUARY, 2020.

ORDER :-

Heard learned counsel for the applicant and Mr. Arora, learned counsel appearing for respondents No.1 and 3 Acquiring Body and SLAO as well as learned AGP for respondent No.2 State of Maharashtra.

2. In view of reasons mentioned in the application, there is no propriety to allow the applicant-original claimant for withdrawal of rest of the balance amount deposited in this Court. It appears that, the appeal has already been admitted and kept reserve for final hearing. The applicant-original claimant is hereby directed to pursue the first appeal for its adjudication on merits.

3. In view of the same, the Civil Application stands disposed of.

Sd./-

**[K. K. SONAWANE]
JUDGE**