

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.3994 OF 2021
IN RC/821/2018

SHANKAR MADOLAPPA ULEKAR (DIED) THR LRS. LAXMI SHANKAR
ULEKAR AND OTHERS
VERSUS

EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIV. OMERGA, OSMANABAD AND OTHERS

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Advocate for Applicants : Mr. Sanjay A. Wakure
Advocate for Respondent No.1 : Mr. S. G. Sangle
AGP for Respondents No.2 and 3 : Mr. S. S. Dande

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CORAM : ANIL S. KILOR, J.
DATE : 25th MARCH, 2021

PER COURT :-

This is an application moved by the legal heirs of sole claimant in land acquisition reference, for withdrawal of amount deposited by Acquiring Body in this court to the tune of Rs.12,47,463/-.

2. It is pointed out that during pendency of the appeal, sole claimant died and this Court granted sufficient time to the Acquiring Body to bring legal heirs of claimant on record, which, the Acquiring Body failed to do. Thereupon, this Court on 20th December, 2017, dismissed the civil application for condonation of delay in filing appeal filed by the Acquiring Body. Thereafter, no steps have been taken by the Acquiring Body to get the matter restored.

3. Thus, looking to the present status of the matter that there is no appeal pending, the legal heirs of the claimant are permitted to withdraw the amount deposited in this court along with interest accrued thereon, if any.

4. The Registry is directed to permit the applicants to withdraw the amount on filing affidavit stating therein that the applicants No. 1-A to 1-F are the only legal heirs of Shankar Madolappa Ulekar and there is no other legal heir.

5. The civil application is disposed of.

**(ANIL S. KILOR)
JUDGE**

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