

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

**CIVIL APPLICATION NO. 4515 OF 2021
IN
FIRST APPEAL NO. 1061 OF 2019**

Kashinath Karbhari Toge
(Died) Through L.Rs.
Bhausahab Kashinath Toge and Others ..APPLICANTS

VERSUS

The Executive Engineer,
Irrigation Division, Beed and Another ..RESPONDENTS

....
Mr. S.E. Shekade, Advocate for applicants
Mr. M.C. Swami, Advocate for respondent no.1
Mr. S.N. Kendre, A.G.P. for respondent no.2 - State

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**CORAM : R.G. AVACHAT, J.
DATE : 02nd AUGUST, 2021**

PER COURT :

1. Heard. Perused the impugned award.
2. Learned counsel for the acquiring body strongly objects to permit withdrawal of amount.
3. For the reasons given in the application and since in connected matter this Court has permitted to withdraw 50% of the amount deposited

in this Court, the applicants herein are permitted to withdraw 50% of the amount deposited in this Court under award on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court. The balance amount be invested in fixed deposit in any nationalised bank till disposal of the appeal. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD