

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

**27 CIVIL APPLICATION NO. 7020 OF 2020
IN FAST/41042/2019**

**TANAJI YESHWANT VEER (DIED) THR LRS MANORAMA AND ANR AND
ORS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS**

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Advocate for Applicants : Shri Wakure Sanjay A.
Advocate for Respt. No. 1 : Shri Amol Jagtap h/f Giri Umakant P.
AGP for Respondent No. 3 : Shri P.M. Kulkarni

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CORAM : N.J. JAMADAR, J.

DATE : 01/03/2021

PER COURT :

1. This Application is for withdrawal of the amount of compensation deposited by respondent No. 1-acquiring body as per judgment and award dated 10 July, 2013 passed by the Reference Court, in LAR No. 237 of 2008.
2. There are averments in the application in justification of the prayer for withdrawal of the amount.
3. Heard learned counsel for the applicants and the learned counsel for respondent No. 1-appellant.
4. For the reasons assigned in the application the prayer in the application for withdrawal of the amount seems to be justifiable. It would be expedient to allow the applicants to withdraw 75% of the amount

deposited by respondent No. 1 subject to certain conditions. Hence the following order :

ORDER

a) Application is partly allowed.

b) Applicants are entitled to withdraw 50% of the amount along with interest accrued thereon, deposited by respondent No. 1 on furnishing an undertaking to the satisfaction of Registrar Judicial of this Court and 25% of the amount along with interest accrued thereon on furnishing solvent surety to the satisfaction of the Registrar Judicial of this Court.

5. Civil Application No. 7020 of 2020 stands disposed of.

**(N.J. JAMADAR)
JUDGE**

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