

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

**CIVIL APPLICATION NO.7635 OF 2020
IN FA/1167/2018**

**BHASKAR MOHANRAO KAWADE AND ORS.
VERSUS
THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION, OSMANABAD AND ORS.**

Mr.D.A.Bide, Advocate for applicants
Mr.A.D.Gadekar, Advocate for respondent no.1
Mr.S.S.Dande, AGP for respondent nos.2 and 3

**CORAM : R.G. AVACHAT, J.
DATE : JULY 26, 2021**

ORDER :-

Heard.

2. Perused the order dated 04.12.2019. By that order, the applicant has been permitted to withdraw entire amount of compensation deposited in this Court on certain conditions.

3. Now, the applicant seeks withdrawal of component of interest accrued on the amount deposited.

4. Learned counsel for the respondent – acquiring body submits that if the applicant is permitted to withdraw the amount of interest, the appeal may become infructuous. The submission is not palatable in view of the order dated 04.12.2019.

5. The application is, therefore, allowed in terms of prayer clause (C), on the same terms and conditions as embodied in the order dated 04.12.2019.

[R.G. AVACHAT, J.]

KBP