

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

**CIVIL APPLICATION NO. 12561 OF 2019  
IN  
FIRST APPEAL NO. 4759 OF 2017**

Indubai Baburao Shinde

..APPLICANT

VERSUS

Executive Engineer,  
Lower Terna Project, Lift Irrigation Works,  
Osmanabad and Others

..RESPONDENTS

....

Mr. V.V. Ingale, Advocate for applicant

Mr. P.R. Tandale, Advocate for respondent no.1

Mr. S.N. Morampalle, A.G.P. for respondent nos. 2 and 3

Mr. R.P. Adgaonkar, Advocate for respondent nos. 4 to 7

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**CORAM : R.G. AVACHAT, J.  
DATED : 13<sup>th</sup> OCTOBER, 2021**

**PER COURT :**

1. Heard.

2. Learned counsel for the acquiring body objects to permit withdrawal of amount.

3. The applicant herein is one of the sisters of the original claimant. She claims to have 1/5<sup>th</sup> share in the amount of compensation. Her quantum of share has been disputed. Only 50% of the amount in deposit has been

permitted to be withdrawn. The balance amount of 50% is there to take care thereof. The applicant is, therefore, permitted to withdraw 1/5<sup>th</sup> amount in deposit as against undertaking to the satisfaction of the Registrar (Judicial) of this Court. Balance amount be invested in fixed deposit with any of the nationalised bank, pending the appeal. Civil application stands disposed of accordingly.

**( R.G. AVACHAT, J. )**

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