

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

**947 CIVIL APPLICATION NO.1526 OF 2022
IN FA/2097/2021**

**SHIVAJI DAGDU DALVE AND ANOTHER
VERSUS
THE EX. ENGINEER, OSMANABAD MINOR IRRIGATION DIV.
OSMANABAD AND OTHERS**

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Mr. P.B. Rakhunde, Advocate for the applicants.
Mr. S.C. Arora, Advocate for respondent No. 1.
Mr. P.N. Kutti, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 25.08.2022.

ORDER:-

1. Heard. It appears that 50% of the deposited amount is already withdrawn by the applicants - original claimants. The learned Counsel for the respondent No.1 – Acquiring Body strongly opposed the application for further withdrawal, on the ground that exorbitant compensation has been awarded by the Reference Court. Moreover, 50% of the deposited amount is already paid to the applicants.

2. Under such circumstances, the appeal can be finally heard instead of granting further withdrawal. In view of the same, the application stands rejected at this juncture. Record and Proceeding is already received. Hence, the appeal

is fixed for final hearing at admission stage on 17th October 2022.

(SANDIPKUMAR C. MORE, J.)