

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

CIVIL APPLICATION NO.3248 OF 2022 IN FA/1637/2021

**SHRIRANG PANDURANG DESHMUKH (DIED) THROUGH LRS.
DILIP SHRIRANG DESHMUKH**

VERSUS

**THE EXECUTIVE ENGINEER, OSMANABAD MINOR IRRIGATION
DIVISION, OSMANABAD UNDER G.M.I.D.C., AURANGABAD
AND OTHERS**

....

Mr. S.A. Wakure, Advocate for the Applicant

Mr. B.R. Surwase, Advocate for Respondent No.1

Mr. P.M. Kulkarni, AGP for Respondent Nos.2 and 3

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 15th MARCH, 2022

PER COURT:-

1. It is an application for withdrawal of amount moved by the original claimants.
2. Heard. Mr. S.A. Wakure, learned counsel for the applicants, Mr. B.R. Suwase, learned counsel for respondent no.1 / acquiring body and Mr. Kulkarni, learned AGP for respondent nos. 2 and 3 / State.
3. Mr. Wakure, learned counsel for the applicants seeks leave to place on record the copy of the order passed by this Court (Coram : R.G. Avachat, J.) in civil application no.8671 of 2021 in

first appeal (stamp) no. 39119 of 2017 dated 24.08.2021. The copy of order dated 24.08.2021 is taken on record. He seeks similar order.

4. By taking the same view, I proceed to pass the following order:

ORDER

(i) The application is hereby allowed.

(ii) The applicant / claimant is permitted to withdraw 75% of the amount of compensation on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(ii) Remaining 25% of the amount of compensation with accrued interest thereon shall be invested in fixed deposit in any nationalized Bank with the clause of renewal.

(iii) The civil application is disposed of accordingly.

**[SHRIKANT D. KULKARNI]
JUDGE**

S.P. Rane