

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

919 CIVIL APPLICATION NO.7070 OF 2022
IN FA/2417/2021

VITTHAL DIGAMBAR MAPARE

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO. 1 AURANGABAD
UNDER GMIDC, AURANGABAD AND ANOTHER

...

Advocate for Applicant : Mr. D. A. Bide.

AGP for Respondent/State: Mr. A. B. Chate.

...

AND

921 CIVIL APPLICATION NO.7072 OF 2022
IN FA/2419/2021

KACHRU BABURAO GORE

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO. 1 AURANGABAD
UNDER GMIDC, AURANGABAD AND ANOTHER

...

Advocate for Applicant : Mr. D. A. Bide.

AGP for Respondent/State: Mr. N. T. Bhagat.

...

AND

922 CIVIL APPLICATION NO.7073 OF 2022
IN FA/2418/2021

MACCHINDRA RAJARAM RAVTE AND OTHERS

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIV. NO. 1 AURANGABAD
UNDER GMIDC, AURANGABAD AND ANOTHER

...

Advocate for Applicant : Mr. D. A. Bide.

AGP for Respondent/State: Mr. S. P. Deshmukh.

...

AND

923 CIVIL APPLICATION NO.7074 OF 2022
IN FA/2526/2021

SAKHRAM SOBA SATDIVE (DIED) THR LRS. DHONDIRAM (DIED)THR
LRS. WATSALABAI AND OTHERS

VERSUS

THE EXE. ENGINEER, MINOR IRRIGATION DIV. NO.1, AURANGABAD
UNDER G.M.I.D.C., AND ANOTHER

...
Advocate for Applicant : Mr. D. A. Bide.
AGP for Respondent/State: Mr. S. N. Morampalle.
...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 05th May, 2022.

P.C.:

. These are the applications for withdrawal of compensation amount moved by the respective applicants/claimants.

2 Heard Mr. Bide, learned counsel for the respective applicants/claimants and the learned respective AGPs for the respondent/State.

3 It is revealed during the course of argument that the State/acquiring body has deposited the amount of compensation with the Reference Court / Executing Court. As such, it would be appropriate to dispose of these applications with directions to the Reference Court / Executing Court as under:

ORDER

- I. The applications are disposed of with following directions to the Reference Court / Executing Court:

- II. The respective applicants/claimants shall file fresh applications for withdrawal of compensation with the Reference Court / Executing Court within a week from today.
- III. Upon receiving such applications for withdrawal of compensation from the respective applicants/claimants, the Reference Court / Executing Court shall decide the same on their own merits in the light of the orders passed by this Court regarding withdrawal of compensation in various civil applications as a guiding factor.
- IV. The Reference Court / Executing Court shall not reject the applications for withdrawal of compensation only because the appeal is *sub-judice* before this Court.
- V. After receiving such applications for withdrawal of compensation, the Executing Court shall decide the same thereafter, within a week after giving an opportunity of being heard to both the sides.
- VI. The applications are accordingly disposed of in view of above directions.

[SHRIKANT D. KULKARNI, J.]