

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5387 OF 2021
IN FIRST APPEAL NO. 1706 OF 2020

RAMDAS TULSHIRAM NHAVERI (DIED) THR LRS JANABAI
(DIED) (RT) CHANGO AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
JALGAON AND OTHERS

...
Advocate for Applicants : Mr. V.P. Patil
Advocate for Respondent No.1 : Mr. A.D. Pawar
AGP for Respondent Nos.3 and 4 : Mr. P.M. Kulkarni

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CORAM : S.G. DIGE, J.
DATE : 25th July, 2022

ORDER :

. Heard learned Counsel for applicants, learned A.G.P. for respondent Nos.3 and 4 and learned Counsel for respondent No.1.

2. Learned Counsel for applicants submit that, this Court has permitted the applicants alongwith legal heirs of Supdabai Kashinath Wagh to withdraw the amount but legal heirs of deceased Supdabai Kashinath Wagh are not

ready to come with applicants for withdrawal of amount. Hence, requested to allow the applicant Nos.2 and 3 to withdraw the amount as per their share.

3. Learned Counsel for respondent No.1 submits that, Court may pass appropriate orders.

4. Considering the submissions of learned Counsel as well as reasons mentioned in the application, application is allowed in terms of prayer clause 'B'.

5. Learned Counsel for applicants submits that, he is holding for the respondents in First Appeal. The remaining deposited amount is of respondents hence, respondents may also be permitted to withdraw the amount as per their share.

6. Permission granted.

7. The Civil Application is disposed of.

[S.G. DIGE, J.]