

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

**941 CIVIL APPLICATION NO.16234 OF 2022
IN FA/1109/2021 WITH CA/6373/2021 IN FA/1109/2021**

**BHAGWAN HIRAGIR GIRI (DIED) THROUGH LRS
KAUSHALYABAI AND OTHERS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIV. NO. 1
AURANGABAD AND ANOTHER**

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Mr. D.A. Bide, Advocate for the applicants.
Mr. Ruturaj Patil, Advocate for respondent No.1.
Mr. P.M. Kulkarni, A.G.P. for respondent - State

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20.12.2022.

ORDER:-

. Heard rival submissions. It appears that the compensation amount is not deposited in this Court, but it is actually deposited with the Reference Court. Though the learned Counsel for the Acquiring Body raised certain objections in respect of the withdrawal of amount, but since the amount is not in this Court, those objections cannot be considered here. Accordingly, the application stands disposed of with liberty to the applicants to move necessary application for withdrawal of amount before the learned Reference Court. It is made clear that if such application is made for withdrawal of the amount by the applicants in the learned Reference

Court, the learned Reference Court shall decide the same on its own merit and there will be no impediment of the stay order dated 23.07.2021 passed by this Court.

(SANDIPKUMAR C. MORE, J.)