

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

**925 CIVIL APPLICATION NO.14428 OF 2022
IN FAST/6911/2011**

**ANANDIBAI SHRIDHAR MAGAR AND ANOTHER
VERSUS
THE EXE. ENGINEER, MED. PRO. DIV., OSMANABAD AND
ANOTHER**

...
Advocate for Applicants : Mr. Tripathi Manish P.
and Mr. Kishor J., Ghute Patil
AGP for Respondent/s – State : Mr. P. N. Kutti
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 12.10.2022

PER COURT :

The learned counsel for the applicants - claimants is seeking permission to withdraw the amount of compensation of Rs.16,59,719/- deposited by the respondent No.1 / Acquiring Body in this Court.

2. However, the learned AGP pointed out that First Appeal (Stamp) No.6911/2011, wherein this application is filed, is preferred by respondent No. 2 – State and the appeal filed by respondent No.1 - Acquiring Body is having First Appeal (Stamp) No. 31652/2011. Thus, it appears that the Acquiring Body might have deposited the amount in the appeal filed by it i.e. First Appeal (Stamp) No. 31652/2011.

2. As such, the present application being not maintainable in this appeal, stands disposed of.

3. The liberty to the applicants /claimants is granted to file fresh application for withdrawal of amount in the appeal filed by the Acquiring Body.

4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-