

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13159 OF 2022
IN FIRST APPEAL NO. 609 OF 2022

DHONDIBA KRUSHNA GORE (DIED) THR LRS. PARIGABAI
DHONDIBA GORE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
NO.1 AURANGABAD UNDER G.M.I.D.C. AURANGABAD AND
ANOTHER

...
Advocate for Applicants : Mr. D.A. Bide
Advocate for Respondent No.1 : Mr. B.R. Survase
AGP for Respondent No.2 : Mr. P.M. Kulkarni
....

CORAM : S.G. DIGE, J.
DATE : 19th September, 2022

ORDER :

. Heard learned Counsel for applicants, learned A.G.P. for respondent No.2 and learned Counsel for respondent No.1.

2. Learned Counsel for applicants submits that, in connected group of matters this Court has directed the Reference Court to consider the applications of withdrawal of applicants and pass the appropriate orders.

The Reference Court has allowed the withdrawal applications of applicants therein and permitted applicants therein to withdraw 75% amount along-with accrued interest thereon on furnishing undertaking and remaining 25% amount along-with accrued interest thereon on furnishing solvent surety hence, requested to allow the application.

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

4. Considering the submissions of all learned Counsel and in connected group of matters, applicants therein are allowed to withdraw the amount. Hence, I pass the following order :-

ORDER

- (a) The application is allowed.
- (b) Applicants are permitted to withdraw 75% amount along-with accrued interest thereon out of deposited amount on furnishing usual undertaking before the Reference Court.

- (c) Applicants are permitted to withdraw remaining 25% amount along-with accrued interest thereon on furnishing solvent surety before the Reference Court.
- (d) The Civil Application is disposed of.

[S.G. DIGE, J.]