

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

**917 CIVIL APPLICATION NO.14972 OF 2022  
IN FA/2718/2021**

**JIVANSING DHARAMSING CHUNGADE AND OTHERS  
VERSUS  
THE EX. ENGINEER, MINOR IRRIGATION DIV. - 1 AURANGABAD  
AND OTHERS**

...  
Advocate for Applicants : Mr. L. H. Kawale h/f.  
Mr. Suryawanshi Kamlakar J.  
Advocate for Respondent No. 1 : Mr. K. M. Daskhedkar h/f.  
Mr. Rutuaj C. Patil  
AGP for Respondents – State : Mr. S. R. Yadav - Lonikar  
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**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 10.11.2022**

**PER COURT :**

Heard. The learned counsel for the appellant -Acquiring Body is directed to carry out the amendment in respect of deceased original respondent No.2 forthwith.

2. The applicants herein are seeking withdrawal of compensation amount which has been deposited by the Acquiring Body. The learned counsel for the applicants placed reliance of earlier order dated 25.04.2022 passed by this Court in other similar matter wherein 50% of the compensation amount was allowed to be withdrawn. As such, similar order will follow.

3. The applicants herein are permitted to withdraw 50% of the deposited compensation amount along with the proportionate accrued interest thereon till date on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.
4. The remaining amount of compensation be kept in Fixed Deposit Receipt in any Nationalized Bank till final disposal of the appeal on yearly renewal basis.
5. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)  
JUDGE

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shp/-