

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

969 CIVIL APPLICATION NO.14454 OF 2022
IN FIRST APPEAL NO.3261 OF 2018

CHIMA KASHIBA DHUMAL SINCE DEAD THROUGH
L.Rs.RAGHUNATH CHIMA DHUMAL & OTHERS
VERSUS
THE EXECUTIVE ENGINEER, URDHVA PRAVARA CANAL
DIVISION,SANGAMNER & ANOTHER

...

Advocate for the applicants : Mr.V.Y.Bhide
AGP for Respondent-State : Mr.S.N.Morampalle
Advocate for Respondent no.1 : Mr.S.C.Arora

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CORAM : S.G.DIGE, J.
DATE : 19.10.2022

P.C. :

1] Heard the learned counsel for the applicants, learned counsel for respondent no.1 and the learned AGP for the respondent-State.

2] The learned counsel for the applicants submits that appeal is already disposed. The amount is deposited by respondent no.1 before this Court is of Rs.33,77,406/-. Out of the said amount, the applicants be permitted to withdraw Rs.30,23,716/- along with accrued interest thereon.

3] The learned counsel for the respondents have no objection for it.

4] Considering the submissions of all learned counsel and the reasons mentioned in the application, the application is allowed. The applicants are permitted to withdraw Rs.30,23,716/- along with accrued interest thereon. The rest amount be refunded to respondent no.1 along with accrued interest thereon.

5] Civil Application is disposed of accordingly.

[S.G.DIGE]
JUDGE

DDC