

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

**911 CIVIL APPLICATION NO.17161 OF 2022
IN FA/1337/2021**

**DAGDU RAMSING BAIYAS DIED THR LRS NILAWATI DAGDUSING
BAYAS AND ORS**

VERSUS

**THE EX. ENGINEER, MINOR IRRIGATION (LOCAL SECTOR)
LATUR DIVISION AND ORS**

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Advocate for Applicants : Mr. N. D. Kendre
AGP for Respondent Nos.2 & 3:Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. B. R. Surwase

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 22/12/2022.**

P. C. :

1. Heard rival submissions.
2. The application filed by the applicants for transfer the amount of 75% which is allowed to be withdrawn by the applicants under order dated 05/08/2021 to the concerned reference court on the ground that applicant No.1 is an old age lady. However, though the order of withdrawal is passed, but considering the age of applicant No.1 of 70 years, it cannot be said that she is totally unable to come here. The amount is lying in this court and to avoid further complications, the part of amount cannot be transferred to reference court. Hence, the application stands rejected.

(SANDIPKUMAR C. MORE, J.)