

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.8663 OF 2023
IN FA/775/2016**

VITHAL JAYSING DHANAWAT (DIED) THR LRS. NANDU
VITTHALDHANAWAT AND ORS
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIV.
NO.1, THR G.M.I.D.C., AURANGABAD AND ORS

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Mr. V. R. Barahate (absent), Advocate for the Applicants.
Mrs. P. V. Diggikar, AGP for Respondents-State.
Mr. S. G. Bhalerao, Advocate for Respondent No.1.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATE : 14th JULY, 2023.**

PER COURT:-

1. By this application, the original claimants are seeking directions against the respondent Acquiring Body as well as State to deposit the balance of the compensation amount and that may be permitted to be withdrawn by the applicants.
2. Mr. Bhalerao, learned counsel for the acquiring body submits that the appeal filed before this court is dismissed on merit on 9.4.2021. He submits that the applicants may have alternate remedy to recover the amount by filing the execution proceedings.
3. There appears force in the contention of the learned advocate for the Acquiring Body. Applicant is at liberty to prosecute his remedies as permissible in law.
4. Civil application sans merit, stands dismissed.

**(S. G. CHAPALGAONKAR)
JUDGE**