

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

FIRST APPEAL NO.31 OF 2013

Kisan s/o Satwaji Patil Kinhalkar ... **APPELLANT**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Shri K.M. Nagarkar, Advocate for appellant
Shri S.N. Morampalle, A.G.P. for respondents No.1 and 2
Shri R.D. Biradar, Advocate for respondent No.3.
.....

WITH

**FIRST APPEAL NO.32 OF 2013 WITH
CIVIL APPLICATION NO.2648 OF 2019**

Shaikh Farid s/o Walliji ... **APPELLANT**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Shri K.M. Nagarkar, Advocate for appellant
Shri S.N. Morampalle, A.G.P. for respondents No.1 and 2
Shri R.D. Biradar, Advocate for respondent No.3.
.....

WITH

FIRST APPEAL NO.3498 OF 2019

Godhavari Maratwada Irrigation
Development Corporation, Aurangabad ... **APPELLANT**

VERSUS

Kishan s/o Satwaji Patil Kinhalkar & ors. ... **RESPONDENTS**

.....
Mr. B.S. Kudale, Advocate holding for
Shri R.D. Biradar, Advocate for appellant
Shri K.M. Nagarkar, Advocate for respondent no.1.
Shri S.N. Morampalle, A.G.P. for respondents No.2 and 3

.....
WITH

FIRST APPEAL NO.3499 OF 2019

Godhavari Maratwada Irrigation
Development Corporation, Aurangabad ... **APPELLANT**

VERSUS

Madhukar s/o Shankarappa Deshmane
& ors. ... **RESPONDENTS**

.....
Mr. B.S. Kudale, Advocate holding for
Shri R.D. Biradar, Advocate for appellant
Shri A.N. Patale, Advocate for respondent no.1.
Shri S.N. Morampalle, A.G.P. for respondents No.2 and 3
.....

CORAM : R. G. AVACHAT, J.

DATE : 9th March, 2023.

ORDER :

Mr. K.M. Nagarkar, learned counsel submits that, in the judgment dated 23rd June 2022, inadvertently instead of First Appeal No.1346/2019, title of First Appeal No.3499/2019 has been typed. He further submits that, vide order dated 14/12/2022, First Appeal No.1346/2019 was removed from Board for the reason that it was wrongly listed along with First Appeal No.31/2013 and other connected

appeals. Mr. Nagarkar submits that, this order should have been passed in First Appeal No.3499/2019. Hence, the title of First Appeal No.3499/2019 be deleted from the judgment dated 23rd June 2022 and title of First Appeal No.1346/2019 along with Civil Application No.1006/2021 be shown.

2. Mr. Nagarkar, learned counsel further submits that, in the judgment dated 23/6/2022, there is no mention about withdrawal of the amount. Hence, following order is passed :

3. The acquiring body has no objection to permit the claimants to withdraw the remaining amount which is in deposit with this Court.

4. In view of the above, the amount in deposit with this Court be paid to the claimants along with interest accrued thereon till the date of payment.

5. First Appeal No.3499/2019 be listed before the Court in due course.

**(R. G. AVACHAT)
JUDGE**

fmp/-