

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

**21 CIVIL APPLICATION NO.6120 OF 2020
IN FA/2916/2019**

**PANKAJ BHAGWANRAO DESHMUKH
VERSUS
THE EX. ENGINEER, LATUR MINOR IRRIGATION DIVISION, LATUR AND ORS**

Mr.Anand Dale h/f. Mr.S.S. Rathi, Advocate for the applicant.
Ms.S.G. Karlekar, Advocate for respondent No.1/Acquiring Body.
Mr.S.S. Dande, AGP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 04.09.2023**

PC :-

01. Heard learned Advocates for the parties. This application is filed through General Power Attorney holder, who happens to be father of the claimant. This appeal was in-fact filed against present applicant as well, along with other connected matters. The Civil Applications for withdrawal also were filed in other connected matters and same were allowed by this Court by order dated 21.08.2020 in Civil Application No.4833 of 2020 in F.A. No.2915 of 2019 with other connected matters. The application of this claimant was separated as there was no General Power of Attorney on record executed by the claimant. Now, the General Power of Attorney is already placed on record and the application is verified through the General Power of Attorney holder.

02. This Court, therefore, finds that similar order can be passed in the case of this application also. Hence, following order :-

- i) The applicant-claimant is permitted to withdraw the amount to the extent of 70% of the amount deposited on furnishing undertaking to the satisfaction of Registrar (Judicial) with condition that in the event the Award is set aside or modified, they shall re-deposit the amount within eight weeks from the date of passing of such order by this Court.
- ii) After making payment to the applicant-claimant, the balance amount be re-invested in fixed deposit initially for a period of three years with standing instructions to reinvest the same till further orders from this Court.
- iii) The amount be paid to the applicant by transferring the amount in his savings bank account as per the particulars of bank account to be furnished by applicant-claimant. No amount to be paid to the power of attorney holder for the claimant
- iv) The application stands disposed off.

[KISHORE C. SANT, J.]