

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

994 CIVIL APPLICATION NO.9468 OF 2023
IN FA/1284/2021
WITH CA/7167/2021 IN FA/1284/2021

ASHOK SUDAM LOKRE & OTHERS
VERSUS
THE EX. ENGINEER, IRRIGATION DIV. BEED & ANOTHER

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Advocate for Applicants : Mr.R.G.Hange
AGP for Respondent-State : Ms.R.P.Gaur
Advocate for Respondent no.1 : Adv.A.P.Raka h/f
Mr.S.W.Munde

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CORAM : ARUN R. PEDNEKER, J.
DATE : 27.10.2023

P.C. :

- 1] Heard the learned counsel for the parties.
- 2] The applicants seek withdrawal of the amount deposited in this Court by the appellant – acquiring body.
- 3] The learned counsel for the applicants has produced the order dated 3rd April, 2023 in Civil Application No.2750 of 2023 in First Appeal No.1283 of 2021 along with connected matters, wherein this Court has permitted the applicants therein to withdraw 50% of the amount of

compensation as directed by the Reference Court, along with interest accrued thereon till date.

4] In view of the order passed by this Court, the applicants are permitted to withdraw 50% amount out of the deposited amount i.e. 75% on usual undertaking and 25% on furnishing solvent surety / security to the satisfaction of Registrar [Judicial] of this court. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of the Appeal. Withdrawal is permitted after bringing the legal heirs of the deceased respondent no.7 and 10 on record. Amendment to be carried out within one week by the appellant. Civil Application is disposed of accordingly.

5] Since the appellant – acquiring body has deposited entire amount of compensation, the ad-interim stay granted earlier stands confirmed. Civil Application for stay is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC