

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

**CIVIL APPLICATION NO.8099 OF 2023
IN FIRST APPEAL NO.164/2016**

**MARUTI GANGARAM INGALE (DIED) LRS. KAKSHINATH
MARUTI INGALE AND OTHERS**

VS

**THE EXE. ENGINEER, LIFT IRRIGATION DIV. OSMANABAD
UNDER GMIDC AURANGABAD AND OTHERS**

Mr. V. V. Ingale. Advocate for the applicant
Mr. B. A. Shinde, Advocate for respondent No.1
Mr. S. B. Pulkundwar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 25th AUGUST, 2023

P. C.

1. This application is moved for withdrawal of amount deposited by respondent No.1-Acquiring Body in this court towards the award passed by the learned trial court. It is stated that all the applicants except applicant No.1-C have executed Waiver Deed in favour of applicant No.1-C and they have no objection for applicant No.1-C to receive the entire amount of compensation. Copy of the same is taken on record. The applicants produced on record a copy of the order dated 20-07-2023 passed by this court in group of applications. In the said

order, the applicants therein are permitted to withdraw 70% of the amount of deposited compensation. Remaining amount is directed to be deposited in fix deposit in any Nationalized bank on yearly renewal basis till final disposal of the appeals.

2. This court finds that similar order can be passed in this application also. The application is, thus, allowed.

3. The applicant No.1-C shall be entitled to withdraw the amount of 70% of the total amount of compensation deposited by respondent No.1 in this court on giving undertaking to the satisfaction of the learned Registrar (Judicial) of this court.

[KISHORE C. SANT, J.]

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