

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

**908 CIVIL APPLICATION NO.13179 OF 2022
IN FA/1271/2017**

**SHRIDHAR SADASHIV LOKARE (DIED) THR LRS MANDAKINI (DIED) THR
LRS BABITA AND ANR
VERSUS
GODAWARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
THR THE EXECUTIVE ENGINEER AND ORS**

Mr.R.V. Naiknavare, Advocate for the applicants.

Mrs.Kalpalata Patil Bharaswadkar, Advocate for respondent No.1.

Mr.S.B. Pulkundwar, AGP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 23.08.2023**

PC :-

01. Heard learned Advocate for the applicants. This application is moved for withdrawal of the remaining 50% amount of compensation deposited by the acquiring body/respondent No.1 on 15.10.2021. Earlier this Court had allowed the applicants to withdraw 50% amount on giving undertaking. The amount, thereafter, was transferred to the Executing Court i.e. Rs.35,56,806/-. Along with this appeal, there are other appeals also filed by similarly situated persons. Some of the appellants had approached the Hon'ble Apex Court for seeking withdrawal of the remaining 50% amount. In the SLP the Hon'ble Apex Court directed to allow the petitioners therein to

withdraw the entire amount on giving security to the extent of amount of 50%. The applicant has also annexed copy of the order passed in SLP C. No.448-450 of 2022. There is no dispute on this.

02. In view of the order passed by the Hon'ble Apex Court, this Court feels that it would be proper to allow this application. It is informed that the amount is deposited in the office of this Court and same is still lying there. The office is, therefore, directed to allow the applicant to withdraw remaining 50% of the amount along with interest accrued on it on furnishing security by the applicants to the satisfaction of the Registrar of this Court.

03. The application is thus allowed and disposed off.

[KISHORE C. SANT, J.]