

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

941 CIVIL APPLICATION NO.8877 OF 2023
IN FA/92/2022

BHIMA AMBAJI JADHAV (DIED) THR LRS GIRIJABAI DIED THRLRS
SANDIPAN BHIMA JADHAV AND ORS
VERSUS
THE EX. ENGINEER, IRRIGATION PROJECT STRENGTHENING DIV.
OMERGA AND ORS

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Advocate for Applicants : Mr. Chavan Prasanna Shankarrao
Adv. for Respondent No.1.: Mr. S.D. Shelke.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 28TH JULY, 2023

ORDER :-

By this application the applicants are seeking permission to withdraw the amount deposited by respondent No.1 in First appeal 92 of 2022. Learned advocate for the applicant points out that First appeal 92 of 2022 has been withdrawn by the acquiring body. Thereafter, the compensation amount is deposited in this court. He would further submit that the original claimant Bhima Ambaji Jadhav died and his Lrs are brought on record during the pendency of the reference. Now after passing of the order in appeal Girijabai Jadhav i.e. wife also expired. The applicant Nos. 2 to 5 are the only heirs of the diseased .

2. The learned advocate for the respondent does not dispute this position

3. In that view of the matter there is no impediment in allowing the prayers. Hence, civil application is allowed in terms of

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941 sr.no..odt

prayer clause(B). The applicants are permitted to withdraw the amount along with interest accrued thereon. Application stands disposed of .

[S.G. CHAPALGAONKAR]
JUDGE

grt/-