

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

**908 CIVIL APPLICATION NO.11985 OF 2023
IN FA/2395/2019**

**VISHWAS BABARAO VEER (DIED) THR LRS. SUNITA VISHWASRAO VEER
AND ORS
VERSUS
THE EXE. ENGINEER, LIFT IRRIGATION DIV, OSMANABAD AND ORS**

Mr.R.V. Naiknavare, Advocate for the applicants.
Mr.S.S. Dande, AGP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 04.11.2023**

PC :-

01. The learned Advocate for the applicants seeks leave to correct middle name of applicant No.1A.

02. Leave granted to correct the name. The amendment be carried out forthwith.

03. This application is filed by the legal representatives of the claimant, who are now brought on record in place of respondent No.1 in the appeal, namely, Vishwas Babarao Veer for withdrawal of 50% of the amount deposited by the acquiring body in the appeal. This Court by order dated 06.09.2019 in Civil Application No. 10428 of 2019 was pleased to allow to withdraw 50% of the amount, subject to filing an undertaking. It is informed that, however, unfortunately Vishwas Babarao Veer died soon after passing of

the order and therefore the amount could not be withdrawn. The applicants are, therefore, before this Court.

04. Since this Court has already passed order directing to withdraw 50% of the amount deposited in favour of the deceased, this Court is of the view that the application needs to be allowed. In view of the same, the application stands allowed. The office to allow the applicants to withdraw 50% of the amount deposited in this Court by the acquiring body subject to filing usual undertaking.

05. The Civil Application stands disposed off.

[KISHORE C. SANT, J.]