

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

124 CIVIL APPLICATION NO.11422 OF 2023
IN FIRST APPEAL NO.1392 OF 2022

BHAURAO @ DATTATRAYA S/O KISHANRAO @KRISHNA
JADHAV & OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for the applicants : Mr.L.C.Patil
AGP for Respondent-State : Mr.N.T.Bhagat
Advocate for Respondent no.3 : Mr.S.B.Patil

...

WITH

124 CIVIL APPLICATION NO.6968 OF 2022
IN FIRST APPEAL NO.1392 OF 2022

THE EXECUTIVE ENGINEER IRRIGATION CONSTRUCTION
DIVISION
VERSUS
BHAURAO @ DATTATRAYA S/O KISHANRAO @KRISHNA
JADHAV & OTHERS

...

Advocate for the applicant : Mr.S.B.Patil
Advocate for the respondent nos.1 to 3 : Mr.L.C.Patil
AGP for Respondent-State : Mr.N.T.Bhagat

...

WITH

124 FIRST APPEAL NO.1392 OF 2022

THE EXECUTIVE ENGINEER IRRIGATION CONSTRUCTION
DIVISION
VERSUS
BHAURAO @ DATTATRAYA S/O KISHANRAO @KRISHNA
JADHAV & OTHERS

...
Advocate for the appellant : Mr.S.B.Patil
Advocate for the respondent nos.1 to 3 : Mr.L.C.Patil
AGP for Respondent-State : Mr.N.T.Bhagat
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.09.2023

P.C. :

**A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL OF AMOUNT**

1] The present Civil Application is filed to withdraw the amount deposited by the acquiring body in this Court.

2] The First Appeal is filed by the acquiring body and the entire amount of compensation is deposited by the acquiring body along with interest accrued thereon.

3] In view of the same, the applicants are permitted to withdraw 75% of the total amount of compensation along with accrued interest thereon till date on usual undertaking to the satisfaction of the Registrar [Judicial] of this Court. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR STAY

The appellant has deposited entire amount of compensation. The earlier stay granted by this Court is confirmed. Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEAL

1] Heard. First Appeal is **admitted**.

2] On admission, the learned AGP waives notice for the respondent nos.4 and 5. Mr.L.C.Patil, learned counsel waives notice for respondent nos.1 to 3.

3] Office objections, if any, to be removed within four weeks.

4] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC