

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

44 CIVIL APPLICATION NO.12251 OF 2023
IN FA/708/2022 WITH CA/5256/2022 IN FA/708/2022

SHIVAJI S/O SUNDERRAO DESHMUKH
VERSUS
THE EX. ENGINEER, IRRIGATION DEPARTMENT BEED AND ANR

...
Advocate for Applicant : Mr. N.P. Bangar h/f. Mr. S.G. Pisure
AGP for Respondent 2 : Mr. K.B. Jadhavar
Advocate for Respondent 1 : Mr. R.C. Patil

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45 CIVIL APPLICATION NO.12252 OF 2023
IN FA/711/2022 WITH CA/5269/2022 IN FA/711/2022

MARUTI S/O KARBHARI NARATE
VERSUS
THE EX. ENGINEER, IRRIGATION DEPARTMENT BEED AND ANR

...
Advocate for Applicant : Mr. N.P. Bangar h/f. Mr. S.G. Pisure
AGP for Respondent 2 : Mr. K.B. Jadhavar
Advocate for Respondent 1 : Mr. R.C. Patil

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46 CIVIL APPLICATION NO.12253 OF 2023
IN FA/712/2022 WITH CA/5274/2022 IN FA/712/2022

DATTU S/O VISHWANATH PINGALE
VERSUS
THE EX. ENGINEER, IRRIGATION DEPARTMENT BEED AND ANR

...
Advocate for Applicant : Mr. N.P. Bangar h/f. Mr. S.G. Pisure
AGP for Respondent 2 : Mr. K.B. Jadhavar
Advocate for Respondent 1 : Mr. R.C. Patil

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CORAM : ARUN R. PEDNEKER, J.
DATED : 06/11/2023

PER COURT :

1. The learned counsel for the original claimants submits that in Civil Application No. 12251/2023 there is minor error in the middle name of applicant and seeks correction of the same. Applicant is permitted to correct the middle name of the applicant in above civil application within one week.
2. Heard the learned counsel for the parties.

3. In the applications for withdrawal of amount, the learned counsel for the applicants has produced the order dated 29.9.2023 passed in Civil Application No. 10691/2023 in First Appeal No. 713/2022 and other connected matters, whereby this Court has permitted the applicants therein to withdraw 50% of the compensation amount deposited in this Court alongwith the proportionate accrued interest thereon till date on furnishing usual undertaking to the satisfaction of the Registrar Judicial of this Court.

4. The learned counsel for the Acquiring Body has strongly opposed the applications.

5. In view of the order dated 29.9.2023 in Civil Application No. 10691/2023 in First Appeal No. 713/2022 and other connected matters, arising of the same acquisition proceedings, the applicants herein are permitted to withdraw 50% of the compensation amount deposited in this Court alongwith the proportionate accrued interest thereon till date on furnishing usual undertaking to the satisfaction of the Registrar Judicial of this Court. Civil Applications for withdrawal of amount are disposed of.

5. Since the appellant Acquiring Body has deposited amount of compensation as directed by this Court in all these matters, the ad-interim stay granted earlier is confirmed. Stay applications are disposed of.

6. Appeals are **admitted**.

7. On admission, Mr. N.P. Bangar, learned counsel waives service of notice for original claimants.

8. Call R. & P.

[ARUN R. PEDNEKER J.]

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