

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

**948 CIVIL APPLICATION NO.13334 OF 2023
IN FA/2672/2023 WITH CA/13332/2023 IN
FA/2671/2023 WITH CA/13333/2023 IN
FA/2670/2023**

**NANA SHANKAR PATIL (DEAD) THR HIS LRS KAMALBAI
NANA PATIL AND ORS**

VERSUS

**TAPI IRRIGATION DEVELOPMENT CORPORATION THR EX.
ENGG, GIRANA IRRIGATION DIVISION, JALGAON AND ORS**

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Advocate for Applicants:

Mr. R. P. Adgaonkar h/f. Mr. Patil Vijay Bhalerao

Advocate for Respondent No.1:

Mr. Deepak B. Rasve h/f. Mr. A. D. Pawar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 04th NOVEMBER, 2023

PER COURT:

1. Civil Application No.13332 of 2023 is filed to bring the legal heirs of the deceased applicant no.2 on record along with prayer for withdrawal of amount. The civil application is partly allowed and disposed of. The learned counsel for the appellant to carry out the necessary amendment within a period of one (01) week from today.

2. Mr. R. P. Adgaonkar holding for Mr. Vijay Bhalerao Patil, learned counsel for the applicants has produced the order dated 19.06.2023, passed in

Civil Application No.5485 of 2023 in First Appeal Stamp No.12919 of 2020 with connected matters, wherein this court has permitted the applicants to withdraw 75% of the amount deposited in this court.

In view of the same, in Civil Application No.13334 of 2023, Civil Application No.13332 of 2023 and Civil Application No.13333 of 2023 are partly allowed and disposed of. The applicants are permitted to withdraw 75% of the amount deposited in this court along with accrued interest thereon till date, subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this court. The remaining amount shall be deposited in fixed deposit of nationalised bank on yearly renewal basis.

3. The applicants should be permitted to withdraw the amount after the necessary amendment is carried out.

[ARUN R. PEDNEKER, J.]

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