

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

**CIVIL APPLICATION NO. 12985 OF 2023
IN
FIRST APPEAL (ST.) NO. 29878 OF 2019**

Raosaheb Barikrao Bhandwalkar
died L.Rs.

Laxman Raosaheb Bandwalkar and others

.. Applicants

Versus

The Maharashtra Krushna Valley Development
Corporation, Through Executive Engineer,
Medium Project and others

.. Respondents

Mr. Mukund S. Patil, Advocate for the Applicants.

Mr. A. M. Gaikwad, Advocate for Respondent No. 1.

Mr. S. B. Pulkundwar, AGP for Respondent Nos. 2 and 3.

CORAM : KISHORE C. SANT, J.

DATED : 27th OCTOBER, 2023.

P. C. :-

. This application is filed for withdrawal of the amount deposited by the appellant – acquiring body in the first appeal. The present applicant Nos. 1A to 1C are the legal heirs of original claimant – Raosaheb Barikrao Bhandwalkar who are now shown as legal heirs of deceased on record. The applicant No. 2 is also a claimant.

2. This Court has already passed an order dated 13.06.2023 in Civil Application No. 6083/2023 with other connected matters allowing the

applicants therein to withdraw 75% of the amount of compensation that is deposited by the acquiring body on giving usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. It is submitted that, those claimants in the Civil Application No. 6083/2023 with other connected matters are similarly situated persons. Their land is acquired in the very same project.

3. In view of the above position, the present civil application stands allowed.

4. The applicants are allowed to withdraw the amount deposited in this Court. Since the parties are over aged old persons the amount be transmitted to the Reference Court, Paranda, District Osmanabad. The Reference Court is directed to allow these applicants to withdraw the amount with accrued interest if any after the same is transmitted to that Court on furnishing usual undertaking.

5. The civil application stands disposed off.

(KISHORE C. SANT, J.)

P.S.B.