

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CIVIL APPLICATION NO.13312 OF 2023
IN FA/3763/2022

DATTA HARI KHANDEKAR AND ANR
VERSUS
THE EXE. ENGINEER MINOR IRRIGATION DIV. OSMANABAD (THR EXE.
ENGINEER, M.I.D. OSMANABAD) AND ORS

...
Advocate for Applicants : Mr. Patil Mukund Shankarrao
AGP for Respondents-State : Mr. S. B. Pulkundwar
Advocate for Respondent No.1 : Mr. S. G. Sangle
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 03/11/2023

PER COURT :

1. The appeal is filed by the acquiring body on the count of quantum. The present application is filed for withdrawal of amount of compensation. The learned Advocate for the applicants has produced on record the order dated 17/12/2019 in FA No.2423 of 2019 and other connected matters, wherein the applicants are permitted to withdraw entire 75% of deposited amount in this Court along with accrued interest thereon.

2. In view of the same, the applicants are permitted to withdraw 50% deposited amount along with accrued interest thereon till date

subject to filing of undertaking to the satisfaction of the Registrar (Judicial) of this Court. Remaining 25% amount is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial).

3. Upon such undertaking is produced, the Registrar (Judicial) to disburse the amount as directed above. The civil application is disposed of accordingly.

4. The appeal is **Admitted.**

5. After admission, the learned AGP waives service of notice on behalf of respondents-State. The learned Advocate Mr. M. S. Patil waives service of notice on behalf of respondents No.1 and 2.

(ARUN R. PEDNEKER, J.)

vj gawade/-.