

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

962 CIVIL APPLICATION NO.2292 OF 2023
IN FA/2209/2020

GEETA BALAJI KANDE AND ANOTHER
VERSUS
THE EXE. ENGINEER LATUR MINOR IRRIGATION, LATUR AND OTHERS

...
Advocate for Applicants : Mr. B.R. Kedar
Advocate for Respondent 1 : Mrs. Dipali S. Ansingkar (Jape)
Advocate for Respondents 2 & 3 :Ajinkya S. Deshpande h/f. Mr. Amit S.
Deshpande

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CORAM : ARUN R. PEDNEKER, J.
DATED : 01/11/2023

PER COURT :

1. The learned counsel for the applicants has taken me through the earlier order dated 14.7.2022 passed in Civil Application No. 2902/2021, wherein this Court has permitted the present applicants/intervening daughters to come on record. The appellant to carry out necessary amendment to add intervening applicants as respondents, if not already done.
2. Present civil application is filed by the applicants/intervening daughters to withdraw 1/3rd share of each applicant out of half share of 50% amount deposited by respondent No. 1 in this Court. The learned counsel for the Acquiring Body has strongly opposed the application.
3. In view of the submissions made above, the applicants are permitted to withdraw 1/3rd share each out of half share of 50% amount deposited in this Court with proportionate accrued interest thereon till date on usual undertaking to the Registrar Judicial of this Court.
4. In view of the submission of the father of the applicants that the

father has challenged the judgment of Special Civil Suit No. 39/2015, the applicants shall also give undertaking that in the event, their shares are reduced by any reason, the applicants would revert the amount back to this Court within a period of four weeks. Further, the applicants shall give undertaking that in the event the Acquiring Body succeeds in appeal and adverse order is passed against the applicants, the applicants would remit the amount back to the Acquiring Body within four weeks.

5. Civil Application filed for withdrawal of amount is disposed of accordingly.

6. List the first appeal on 3.1.2024.

[ARUN R. PEDNEKER J.]

ssc/