



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

903 CIVIL APPLICATION NO. 5352 OF 2024
IN FA/497/2021

TUKARAM RAMBHAU SHETE DEAD LR CHANDRABHAGA
DIED (DELETED) AND ORS

VERSUS

THE G.M.I.D.C., THROUGH THE EXECUTIVE ENGINEER
AND ANR

...

Advocate for Applicant : Mr. Bhide Vinod Y.
Advocate for Respondent No.1 : Mr.A. M Gaikwad
AGP for Respondent No. 2 : Mrs. M.L. Sangit

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CORAM : KISHORE C. SANT, J.

DATE : 11th JUNE, 2024.

PER COURT :

1. At the outset, the learned Advocate for the applicants seeks leave to correct the name of the applicant No. 1C in the title clause of the application.
2. Leave granted. Correction be carried out forthwith.
3. This application is preferred by the legal representatives of the original Claimants for withdrawal of the

amount which is lying in this Court deposited by the Acquiring Body. The Acquiring Body had filed First Appeal bearing No. 2576 of 2019. The same case is disposed in this Court by judgment and award dated 12.07.2021, by modifying the award Exh.-A. While allowing the application though the award is modified, inadvertently there is no order directing the office to allow the applicant to withdraw the amount deposited in this Court and also directions to refund the remaining amount to the Acquiring Body in view of the modified award.

3. The applicants have produced a chart at Exh. "B" in this application showing the entitlement of the applicants/Claimants and the Acquiring Body. The applicants are entitled to receive the amount which is shown in Column No. 16 of the said Chart and the Acquiring Body/appellant is entitled to receive the amount which is shown in Column No. 17 of the chart. Both the parties have accepted this position.

4. Since both the parties have accepted above position as appearing in the chart, the application is allowed in terms of prayer Clause -(B) and (C).

5. The application stands disposed off.

(KISHORE C. SANT)
JUDGE

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