



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 CIVIL APPLICATION NO. 6194 OF 2021
IN FA/2608/2018

Suraj Rajesh Salunke And Another
VERSUS

The Executive Engineer Lift Irrigation Divison, Osmanabad Thr. Sub Div.
Officer Mohammad

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Mr. N. R. Pawade, Advocate for Applicants
Mrs. U. S. Bhosle, AGP for Respondent Nos.2 and 3/State
Mr. S. C. Arora, Advocate for Respondent No.1

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**CORAM : R.G. AVACHAT &
NEERAJ P. DHOTE, JJ.**

DATE : 05.01.2024

PER COURT :

1. This is an application for withdrawal of the amount of compensation deposited with this Court.
2. The original claimant was one Shivajirao, who died leaving behind three daughters and a son, namely, Aruna, Shradha, Vandana and Rajesh. His son – Rajesh also passed away leaving behind two daughters and two sons, namely, Suraj, Sagar, Shalaka and Vishaka. The applicant – Suraj has placed on record a registered deed of release/relinquishment executed by Shalaka, Vishaka, Shradha and Aruna in favour of Suraj. Sagar reportedly died bachelor. As such, the claimants before us are Suraj and his maternal aunt – Vandana. An understanding is said to have been arrived at between the two.
3. In similar matters, this Court has permitted to withdraw 50% of the amount in deposit. A copy of the order dated 27/09/2019 is placed on record.

4. Learned Advocate for the acquiring body has strong objection to allow the applicants for withdrawal of more than 50% of the amount in deposit.
5. To maintain parity, we are permitting the applicants viz. Suraj and Vandana to withdraw 50% of the amount deposited with this Court along with interest accrued thereon, subject to usual undertaking to be furnished to the satisfaction of the Registrar [Judicial] of this Court. The amount shall be deposited in the joint account of both of them.
6. The civil application is disposed of accordingly.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

Sameer