



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**921 CIVIL APPLICATION NO. 12043 OF 2024  
IN FA/223/2024**

VITTHAL SHANKAR GAYAKE AND ORS  
VERSUS  
EXECUTIVE ENGINEER, IRRIGATION DIVISION AND ANR

...  
Advocate for Applicant : Mr. P. N. Pahune, Patil, h/f Mr. N. J. Pahune Patil.  
Advocate for Respondent No.1 : Mr. V. B. Dhage, h/f Mr. R. B. Gaikwad.  
AGP for Respondent/State : Mr. P. D. Patil.  
...

CORAM : **KISHORE C. SANT, J.**

DATE : 14<sup>th</sup> November, 2024.

**P.C.:**

. This application is for withdrawal of the amount of compensation deposited in this Court. Earlier, there is already an order passed directing withdrawal of the amount. However, subsequently, respondent No.4 in the main appeal died and thereafter, the amount could not be withdrawn. Now the present application is filed by original respondent Nos.1 to 3 and legal heirs of respondent No.4. The amount though was directed to be withdrawn, still it is not withdrawn for the aforesaid reason.

2 In view of the same, the application is allowed. The applicants are permitted to withdraw the entire amount as per the order dated 12<sup>th</sup> September, 2023, as per their respective share. The civil application stands disposed of.

3      The appellant to amend the cause title in view of the order passed in the civil application for bringing the L.Rs. on record, within two weeks from today.

**[ KISHORE C. SANT, J. ]**

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