



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

**23 CIVIL APPLICATION NO. 12117 OF 2024
IN FA/2887/2023**

GANGADHAR BHIKA KUKLARE AND ORS
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION AND ANR

...
Advocate for Applicant : Mr. Nandkishor Jayaram Pahune.
Advocate for Respondent No.1 : Mr. Mahesh C. Swami.
AGP for Respondent No.2 / State : Ms. D. S. Jape.

...
AND
**CIVIL APPLICATION NO. 8361 OF 2023
IN FA/2887/2023**

THE EX. ENGINEER, MINOR IRRIGATION PROJECT NO. 1
AURANGABAD THR G.M.I.C.I. AURANGABAD
VERSUS
GANGADHAR BHIKA KUKLARE AND ORS

...
Advocate for Applicant : Mr. Mahesh Chandrashekhar Swami.
AGP for Respondent No.2 / State : Ms. D. S. Jape.

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

DATE : 03rd December, 2024.

P.C.:

Application for withdrawal of amount:

. Heard the learned counsel for the parties.

2 This application is for withdrawal of the amount deposited by the
acquiring body in the office of this Court.

3 The application is vehemently opposed by the learned counsel for the appellant. He submits that the learned Trial Court has granted enhancement of more than nine times. The land, in fact, is a dry land, whereas the learned Trial Court has held that the same to be irrigated land. He thus, submits that the applicants need not be allowed to withdraw the amount.

4 The learned counsel for the applicants produced on record a copy of order dated 17th October, 2024 passed in Civil Application No.5331 of 2024, wherein this Court had allowed the applicant therein to withdraw 100% of the amount alongwith accrued interest. In view of the above, the following order is passed :-

ORDER

- I. The applicants are permitted to withdraw 100% of the amount alongwith accrued interest deposited in this Court on furnishing usual undertaking.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[KISHORE C. SANT, J.]