



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

CIVIL APPLICATION NO.118 OF 2024 IN FAST/14763/2020

RAGHUNATH BHAGWAN JADHAV (DIED) THR LRS KAMALBAI
RAGHUNATH KOLI AND OTHERS

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, JALGAON AND
ANOTHER

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Advocate for Applicants : Mr. Patil Vijay Bhalerao
Advocate for Respondent No.1 : Mr. Ajay D. Pawar
AGP for Respondent No.2 : Mr. S. N. Kendre

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CORAM : S. G. MEHARE, J.

DATE : 15-03-2024

PER COURT :-

1. Heard the learned counsel for the applicants and the learned counsel for respondent No.1/appellant.
2. As per directions of this Court, the appellant has deposited 50% amount of the compensation. Some portion of the amount has been deposited with the Reference Court and some portion has been deposited with this Court. In a similarly situated matters i.e. CA/16498/2022 in FAST/14968/2022 and others, this Court (Coram: Sandipkumar C. More, J.) allowed the applicants to withdraw the entire amount deposited with this Court.
3. Learned counsel for the applicants submits that there was

difference in the names of applicants No.3, 4 and 5 in the award and in the aadhar cards. They have sworn-in-affidavit that their names mentioned in the reference case/award and the aadhar cards are the same. They also produced their affidavits and photo copies of aadhar cards. Hence, they may be allowed to withdraw the amount in their names mentioned in the aadhar cards. Hence, the following order;

ORDER

- i) The application is allowed.
- ii) The applicants are allowed to withdraw the entire amount deposited with this Court and the Reference Court, with accrued interest thereon on furnishing undertaking that they would deposit the money if the impugned judgment and award is reversed.
- iii) Applicants No.3 to 5 are allowed to withdraw the entire amount deposited with this Court and the Reference Court in their names mentioned in the aadhar cards.

**(S. G. MEHARE)
JUDGE**

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