



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

**65 CIVIL APPLICATION NO. 5331 OF 2024
IN FAST/35685/2023**

GORAKHNATH RANGNATH SHELAR
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION NO. 1 AND
ANOTHER

...
Advocate for Applicant : Mr. Nandkishor J. Pahune Patil.
Advocate for Respondent No.1 : Mr. S. B. Kadu.

...
AND
**CIVIL APPLICATION NO. 13790 OF 2023
IN FAST/35685/2023**

AND
**CIVIL APPLICATION NO. 13791 OF 2023
IN FAST/35685/2023**

EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION 1 AURANGABAD
AND ANR
VERSUS
GORAKH RANGNATH SHELAR

...
Advocate for Applicant : Mr. Shivraj B. Kadu.
Advocate for Respondent : Mr. N. J. Pahune Patil.

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

DATE : 17th October, 2024.

P.C.:

. Heard the learned counsel for the parties.

CIVIL APPLICATION NO. 5331 OF 2024

2 The learned counsel for applicant submits that in other references decided by the same Court arising out of same acquisition

proceedings i.e. in L.A.R. No.1567 of 2010, the appellant / acquiring body has deposited the entire amount in the Reference Court. The Reference Court by order dated 14th July, 2023 also allowed to withdraw the said amount to the claimants in that case. He thus, prays for allowing the applicant to withdraw the entire amount deposited in this Court.

3 Mr. Kadu, learned counsel for appellant vehemently opposes the application. However, considering that in other matters the appellant / acquiring body has already deposited the amount, this Court is inclined to allow the application as below:

ORDER

- I. The applicant is 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.]