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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 10057 OF 2025
IN FIRST APPEAL NO. 3629 OF 2018**

GULAB GEMA RATHOD

VERSUS

EX. ENGINEER, BEED IRRIGATION DIV. BEED UNDER GMIDC,
AURANGABAD AND ANOTHER

**WITH CIVIL APPLICATION NO. 10058 OF 2025
IN FIRST APPEAL NO. 3628 OF 2018**

PRAKASH ARJUN CHATE

VERSUS

EX. ENGINEER, BEED IRRIGATION DIV. BEED UNDER GMIDC,
AURANGABAD AND ANOTHER

**WITH CIVIL APPLICATION NO. 10055 OF 2025
IN FIRST APPEAL NO. 3630 OF 2018**

MANDABAI W/O BHAGWAN KHADE (DIED THROUGH LRS) NAVNATH
S/O BHAGWAN KHADE AND OTHERS

VERSUS

EX. ENGINEER, BEED IRRIGATION DIV. BEED UNDER GMIDC,
AURANGABAD AND ANOTHER

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Advocate for Applicants : Mr. Vilas P. Savant

AGP for Respondent No.2-State : Mr. V. S. Badakh

Advocate for Respondent No.1 : Mr. B. R. Surwase

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CORAM : ABHAY S. WAGHWASE, J.

Date : 23.09.2025

ORDER :

1. All these applications are at the instance of original claimants praying therein for withdrawal of amount deposited by the acquiring

body. The acquiring body had deposited the entire amount of compensation, out of which the claimants have already withdrawn 50% amount.

2. By pressing the ground of medical expenses in Civil Application Nos. 10055 and 10058 of 2025 and old age of the applicant in Civil Application No. 10057 of 2025, learned counsel for the applicants-claimants urges for permission to withdraw remaining 50% amount also.

3. Learned counsel for the acquiring body opposes the applications.

4. For the medical reasons mentioned in the applications, the **applications are partly allowed**. The applicants are permitted to withdraw further 10% of the deposited amount on submitting an undertaking to the satisfaction of the Registrar (Judicial) of this Court. The balance 40% amount be invested in Fixed Deposit in any Nationalized Bank for the period till disposal of the appeal.

5. The Civil Applications accordingly stand disposed off.

[ABHAY S. WAGHWASE, J.]