



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

**84 CIVIL APPLICATION NO. 2857 OF 2026
IN FA/560/2022**

**PRABHAWATI DATTU DIXIT (DIED) THR LRS VITTHAL.
*VERSUS***

**M.K.V.D.C. LT., THROUGH EXECUTIVE ENGINEER,
IRRIGATION DEPARTMENT, OMERGA AND ORS.**

**WITH FIRST APPEAL NO. 560 OF 2022 WITH CIVIL
APPLICATION NO. 12872 OF 2021 IN FA/560/2022**

...

Advocate for Applicant : Mr. Shahaji C. Nadare h/f Mr.
Naiknavare Ramesh Vitthal.

AGP for Respondent/s-State : Mr. V. V. Jahagirdar.
Advocate for Respondent No.1 : Mr. A. S. Shelke.

...

**CORAM : SHAILESH P. BRAHME, J.
DATE : 10.03.2026**

PER COURT :-

1. Heard the respective sides.
2. Applicant seeks to withdraw amount of Rs.35.09.661/- deposited by the respondent/acquiring body for the reasons stated in the application.
3. It is informed that only 75% of the amount is deposited. Already 25% of the amount is secured to safeguard the interest of the acquiring body.
4. Civil application for withdrawal is allowed partly by permitting the applicant to receive 75% of the amount with

accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial).

First Appeal

5. **Admit.**

6. Learned counsel Mr. Shelke waives service of notice for respondent No.1. Learned AGP waives service of notice for respondents/State Authorities.

7. Call for Record and Proceedings from the concerned Court.

8. Print is dispensed with.

Civil Application for Stay

9. As the amount has been deposited in pursuance of the earlier order, ad-interim relief granted earlier shall stand confirm.

10. Civil application is disposed of.

(SHAILESH P. BRAHME, J.)

...

vmk/-