

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

47 CIVIL APPLICATION NO. 2340 OF 2016
IN FAST/13477/2014

AHILYABAI SOPAN LAGAD AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, IRRIGATION DIVISION BEED AND ANR

...

Advocate for Applicants : Mr. Sable Bhagwan R.
Advocate for Respondent No.1 : Mr. P. G. Rodge

CORAM : V. K. JADHAV, J.

DATE : 16th March, 2016

PER COURT :

1. Heard both sides.
2. It is a death claim and the learned Member of the Motor Accident Claim Tribunal has awarded compensation to the legal representatives of deceased Sopan Lagad. The learned counsel appearing for the respondents strongly resisted the application for withdrawal of compensation. The learned counsel submits that the Tribunal has passed exparte judgment and award against the respondents. However, since it is a death claim, I am inclined to allow the applicants to withdraw certain amount. Hence following order:

O R D E R

- i. Application is hereby partly allowed.
- ii. Applicant No.1 is hereby permitted to withdraw an

amount of Rs.1,50,000/- out of the amount deposited before this Court by the respondents in response to the order dated 22.06.2014, on execution of undertaking to the satisfaction of the Registrar Judicial of this court.

iii. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

JPC