

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

CIVIL APPLICATION NO. 14388 OF 2016
IN FA/19/2007

SHRIRANG NARAYAN BHINGARDIVE DIED THR LRS SHAKUNTALA
AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicants : Mr. Ankush N. Nagargoje.

AGP for Respondent No.1: Mr.G.O.Wattamwar.

Advocate for Respondent Nos. 2-A To 2-D, 3, 4 & 5 : Mr. A. K. Gawale.

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CORAM : **V. K. JADHAV, J.**

DATE : 24th March, 2017.

P.C.:

. The learned counsel for the Applicants submits that no relief is claimed against Respondent No.5 and the Applicants may be permitted to delete him from the array of Respondents.

2 Permission granted at the risk of the Applicants. The name of Respondent No.5 be deleted from the array of Respondents.

3 The learned counsel submits that the Applicants are entitled for 1/3rd share and the Respondent Nos.2-A to 8-D are entitled for 1/3rd of the amount and Respondent Nos.9 to 12 are entitled for the balance amount of 1/3rd.

4 The learned counsel for the Respondents has not disputed this

position. However, the learned counsel appearing for the Respondents submits that the Applicants have already withdrawn 75% of the amount falling to their share and therefore, they are only entitled for the balance amount.

5 In view of the above submissions and the admitted position, the Appellants and Respondents as detailed above are entitled of the 1/3rd of the share each in the compensation amount. If any of them withdrawn any amount from the compensation deposited before this Court, the same shall be adjusted in the final withdrawal.

6 Civil application is accordingly disposed of.

[V. K. JADHAV, J.]

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