

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

CIVIL APPLICATION NO. 90 OF 2017 IN FA/2077/2016

GOVIND KANHAYALAL MANDHANE AND OTHERS .. APPLICANTS.

VERSUS

SIDDHESHWAR PRAKASH GAIKWAD AND ANR .. RESPONDENTS.

...

Advocate for Applicants : Mr. S. J. Salunke.
Advocate for Respondent No.2 : Mr. M.M.Ambhore.

...

CORAM : K.K. SONAWANE, J.

DATED : 04TH OCTOBER, 2017.

Order :-

Heard Mr. S. J. Salunke, learned counsel for applicant-original claimant and Mr. M. M. Ambhore for respondent No.2- Insurance Company. Perused the application.

2. It has been submitted that First Appeal No. 2077 of 2016 filed on behalf of respondent - Insurance Company has already been adjudicated on merit by this Court. The appellant/respondent- Insurance Company has deposited the entire compensation amount in this Court as awarded by the learned Tribunal. The matter in issue has already been decided on merit. There is no impediment to allow the applicants (original claimants) for withdrawal of amount deposited by appellant- Insurance Company in this Court. Learned counsel for appellant- Insurance Company has given no objection to withdraw of amount by applicants (original claimants). In such circumstances, application is allowed in terms of prayer clause 'B'. The applicants No. 1 to 3 (original claimants) are hereby permitted to withdraw the entire compensation amount of Rs.8,56,607/- (Rs. Eight Lakh Fifty Six Thousand Six Hundred Seven Only) as well as interest, if any, accrued thereon deposited in this Court. The Registry to do needful for disbursement of the amount in favour of respondents (original claimants) No. 1 to 3 as per rules. Accordingly, civil application stands disposed of.

**[K. K. SONAWANE]
JUDGE**