

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

**970 CIVIL APPLICATION NO. 10809 OF 2018
IN FA/896/2002**

VANDANA SURYAKANT SOLAV AND OTHERS
VERSUS
GUNDAPPA MANDOLAPPA SAMANGAVE AND OTHERS

...
Advocate for Applicants : Shri Ashok R .Tapse
Advocate for Respondent No.2 : Smt.Ranjana R.Reddy
Advocate for Respondent No.3 : Shri A.G.Kanade

...
CORAM : P.R. BORA, J.

Date: August 31, 2018

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PER COURT :-

1 Heard Shri A.R.Tapse, learned Counsel appearing for the applicants and Shri A.G.Kanade, learned Counsel appearing for the Insurance Company.

2 The learned Counsel for the applicants brought to my notice the order dated 16.02.2018 (Coram: M.S.Sonak, J.). Vide the aforesaid order, the original claimants were directed to withdraw the amount of compensation since the appeal itself was disposed of.

3 The learned Counsel submitted that in the meanwhile, claimant No.3, Bhimrao Kashiba Solav has died and as such the Registry is not permitting the withdrawal of the amount of

compensation. The learned Counsel submitted that the present applicant Nos.1, 2 and 4 are the only legal heirs of deceased Bhimrao Kashiba Solav. The learned Counsel brought to my notice the heir-ship certificate issued by the Gram Panchayat evidencing the names of the legal heirs of deceased Bhimrao Kashiba Solav. The learned Counsel, in the circumstances, prayed for directing the Registry to disburse the amount of compensation to the surviving claimants.

4 After having considered the submissions and on perusal of the documents, I am inclined to allow the application. Hence, the following order:-

ORDER

- I) Application is allowed in terms of prayer clause-'B' and 'C'.
- II) Civil application No.10809 of 2018 stands disposed of.

(P.R.BORA)
JUDGE