

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

947 CIVIL APPLICATION NO. 1343 OF 2018
IN CIVIL APPLICATION NO. 15817 OF 2016
IN FA/1899/2016

HANUMANDAS MURLIDHAR TAKSALI DECEASED LRS
SANJAYKUMARAND OTHERS
VERSUS
MUNICIPAL CORPORATION OF AURANGABAD THR
COMMISSIONER AND ANR

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Advocate for Applicants : Mr. Deshpande S.R.
AGP for Respondent no.2 : Mr. B.A.Shinde
Advocate for Respondent no.1 : Mr. S.V.Kshirsagar
h/f Mrs. Manjusha A. Deshpande

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CORAM : K.L.WADANE, J.
DATED : 14th February, 2018

O R D E R :

Heard learned counsel for the parties.

2. This is an application by the applicants for clarification in respect of the order, dated 11.10.2017, passed by this Court in Civil Application No. 15817 of 2016 in First Appeal No. 1899 of 2016, by which the applicants were permitted to withdraw 50 per cent amount of compensation without condition. Further they were permitted to withdraw 25 per cent amount of

compensation on furnishing solvent surety to the satisfaction of the Registry of this Court and remaining 25 per cent of amount of compensation was directed to be invested in the Nationalized Bank in fixed deposit for a period of 13 months.

3. Learned counsel for the applicants submits that original application was for withdrawal of compensation amount of Rs.41,56,969/- along with interest.

4. Learned counsel further submits that the respondent has deposited amount of compensation along with interest. Therefore, the words, "together with interest" in the aforesaid order are required to be added.

5. In view of above, after the words, "amount of compensation" words "together with interest" be added.

6. Learned counsel further submits that applicant no.1A is ready to give solvent security as per the order of this Court, however, the office is not accepting the same and insisting for solvent security by third person.

7. Office is directed to accept solvent security, if furnished by applicant no.1A. After compliance of the above order, amount be distributed as per the order passed by this Court and amount which comes to the share of applicant no.2 Nandlal s/o Murlidhar Taksali be paid to him through cheque and the cheque be handed over to applicant no.1A, since applicant no.2 Nandlal is unable to walk. He is on wheel chair.

8. With the above directions, the application is disposed of.

(K.L.WADANE, J.)

dbm