

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

**1047 CIVIL APPLICATION NO.4569 OF 2019
IN RC/70/2019**

**SHAHIN SADRUDDIN LALANI
VERSUS
NANDED WAGHALA CITY MUNICIPAL CORPORATION NANDED AND
ORS**

...
Advocate for Applicant : Mr. Telgaonkar Uttam L.
Advocate for Respondent No.1 : Mr. S.N. Boiwar h/f Mr. M. V.
Deshpande
AGP for Respondent No.2/State : Mr. S.P. Deshmukh
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 5th JULY 2019

ORDER :

1. Present application has been filed for withdrawal of the amount deposited by respondent No.1. Respondent No.1 had filed First Appeal with delay condonation application. However, it appears that the said application was dismissed in default by order dated 27-08-2018. Till today no steps have been taken to get it restored.
2. Present applicant is the legal representative of original respondent No.3. It is stated that original respondent No.3 has left two sons. His another son resides in United States of America. Photo copy of the affidavit of one Jalaluddin s/o Sadroddin Lalani has been produced on record and marked as Exhibit-'A' to state that since he had

shifted to Texas (United States of America), he is authorizing his brother i.e. present applicant to withdraw the amount of compensation. Under such circumstance, the applicant is allowed to withdraw the said amount.

3. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/