

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

38.1 CIVIL APPLICATION NO.10129 OF 2019
IN FA/3506/2019

GANGUBAI PANDURANGRAO AMBHURE (DIED)
THR LRS. PANDYURANG (DIED) THR LRS. SANJAWANIBAI
VERSUS
THE G.M.I.D.C., THR THE EX.ENGINEER, AND ORS.

...

Advocate for Applicants : Mr. Bhise Vitthal D.
AGP for Respondent No. 2: Mr. S.N. Morampalle.

CORAM : MANGESH S. PATIL, J.

DATE : 12/12/2019

PER COURT :

This is an application by the original claimants seeking withdrawal of the amount.

2. In fact all the applicants are already on record in First Appeal and only the claimant who is dead his name is to be struck off from the title of the appeal. However, the appellant/Acquiring Body has not been taking any steps.

3. Be that as it may, in similar matters arising from the same award the claimants therein have been allowed to withdraw 75 % of the amount, therefore a similar order deserves to be passed even in this appeal.

4. The Civil Application is allowed. The applicants/claimants are allowed to withdraw 75% of the amount deposited in this Court by furnishing undertaking in usual terms.

5. The Civil Application is disposed of.

(MANGESH S. PATIL, J.)

mkd