

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

**29 CIVIL APPLICATION NO.13379 OF 2019
IN FAST/27629/2017**

**KALYANI NEMICHAND RATHOD AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR THE DY. DIRECTOR OF HEALTH
SERVICES TRANSPORT, PUNE**

...
Advocate for Applicants : Mr. Gore Ravindra Vitthal
AGP for Respondent: Mr. S.P. Deshmukh
...

CORAM : MANGESH S. PATIL, J.

DATE : 20.11.2019

PER COURT :

The applicants are the original claimants seeking withdrawal of the amount of compensation deposited by the respondent State which is the owner of the vehicle in which the deceased was travelling and died as a result of its involvement. The learned A.G.P. opposes the application.

2. Considering the facts and circumstances of the case, it would be appropriate to allow them to withdraw 80% of the amount deposited in the Court subject to usual terms and conditions.

3. The application is allowed. The applicants are allowed to withdraw 80% of the amount of compensation in the same proportion

as is directed in the award, subject to furnishing undertaking in the usual terms and conditions. Application is disposed of.

(MANGESH S. PATIL, J.)

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