

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

CIVIL APPLICATION NO.1013 OF 2020 IN FA/840/2010

SHESHRAO MARUTI KOLI THR LRS MANGALABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicants : Mr. Ajeet B. Kale
AGP for Respondent No.1 : Mr. R. B. Bagul
Advocate for Respondent No.2 : Ms. Geeta Deshpande

CORAM : K.K. SONAWANE, J.
DATED : 28th JANUARY, 2020.

ORDER :-

Heard learned counsel for the applicants and learned AGP for respondents No. 1 and 2. Perused the application.

2. This Court under order dated 18th March, 2011 granted permission to withdraw 75% of the total sum of compensation deposited in this Court on certain terms and conditions. Thereafter, the matter was kept for final hearing on merit. But, since then, there is no progress into the matter nor the applicants pursued for expeditious hearing to get rest of the compensation in this case. Today, learned counsel seeks permission to withdraw the 25 % balance amount deposited in this court on the ground that there is marriage ceremony at the house of applicants, and hence, they are in need of money.

3. In view of nature of the subject matter and the earlier order passed by this Court dated 18th March, 2011, present application can not be considered at all to grant permission to the applicants for withdrawal of balance 25% compensation amount. The attending circumstance does not permit this Court to modify the earlier order. Therefore, the Civil Application being inapt deserves to be dismissed. The Civil Application is hereby dismissed. No order as to the costs.

Sd./-

[K. K. SONAWANE]
JUDGE