

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

951 CIVIL APPLICATION NO. 1991 OF 2020
IN FA/4314/2016

KISAN SUBHAN LONDE (DIED) THR LRS MANOHER KISAN
LONDE(DIED) THR LRS SAVITA AND A
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicants : Mr. D.R. Jaybhar h/f Mr. Layak S. Shaikh
AGP for Respondent No. 1: Mr. P.M. Kulkarni
Advocate for Respondent No. 2: Mr. R.C. Patil

CORAM : K.K. SONAWANE, J.

DATED : 18th FEBRUARY, 2020.

ORDER :-

1. Heard learned counsel for the parties.
2. It has been contended that this Court under order dated 30-11-2017 dismissed the present appeal and get confirmed the award passed by Reference Court. Respondent – Acquiring Body deposited the entire decretal amount in this Court as per award passed by Reference Court. The applicants are legal heirs of original claimant. Therefore they are seeking permission to withdraw the amount deposited in this Court.
3. Learned counsel for respondent-Acquiring Body fervidly contends that he has no objection for withdrawal of the amount as proceeding of first appeal is closed. In view of nature of subject matter, there is no impediment to allow the application.
4. Accordingly civil application stands allowed. The applicants are

hereby permitted to withdraw entire compensation amount deposited in this Court in the proceedings of First Appeal No. 4314 of 2016 subject to condition that applicants shall furnish undertaking to the effect that in case there are any legal impediment for entitlement of applicants to receive compensation amount, in future, they would refund the entire amount forthwith as per order passed by this Court. Registrar (Judicial) to do the needful for disbursement of the amount as directed above.

5. The civil application stands disposed of in above terms.

[K. K. SONAWANE]
JUDGE

MTK