

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3139 OF 2020  
IN  
FIRST APPEAL NO. 2566 OF 2019

LAXMIBAI BABURAO KACKE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

.....  
Advocate for the applicant: Mr. G.K. Sontakke  
AGP for respondent Nos. 1 and 2: Mr. S.N. Morampalle  
Advocate for respondent No.3: Mr. S.G. Sangle  
.....

**CORAM : V. K. JADHAV, J.**  
**DATED : 4<sup>th</sup> NOVEMBER, 2020**

**PER COURT:-**

1. Heard both sides.
2. learned counsel for the applicant has pointed out that on earlier occasion this Court (Coram: Smt. V.V. Kankanwadi, J.) by order dated 11.10.2019 in civil application No. 6127 of 2019 in first appeal No. 2570 of 2019 has permitted the applicants-original claimants therein from the same award to withdraw the compensation amount on certain conditions.
3. In view of the above, the applicant herein is also permitted to withdraw the compensation amount with certain conditions. Hence, the following order:-

O R D E R

- I. The civil application is hereby partly allowed.
- II. The applicant-original claimant is permitted to withdraw the compensation amount to the extent of 50% out of the amount deposited before the Reference Court in the execution proceeding on furnishing undertaking to the satisfaction of Reference Court.
- III. Civil application is disposed of.

**( V. K. JADHAV, J.)**

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