

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

962 CIVIL APPLICATION NO. 37 OF 2020
IN FAST/35014/2018

MALLAPPA GANPATI BYALE (DEAD) THR LRS KAMLAKAR AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Mr. Ajit B. Kale
AGP for respondents : Mr. P.M. Kulkarni

...
CORAM : K.K. SONAWANE, J.

DATED : 27th FEBRUARY, 2020.

ORDER :-

1. Present application is filed by the applicants seeking permission to withdraw the compensation amount deposited in this Court.
2. It is to be noted that these applicants are not party in the proceeding of appeal filed on behalf of appellant-State of Maharashtra. They seek permission for withdrawal of compensation amount pretending themselves as L.Rs. of deceased respondent – Dhondiba. But, for want of authentic document they cannot be permitted to substitute themselves as party respondents in this matter in place of deceased respondent -Dhondiba. The detail order came to be passed in Civil Application No. 1048 of 2020, while rejecting the application of applicants seeking permission to substitute themselves as party respondents in this matter.
3. In such circumstances, present applicants may not be allowed for withdrawal of compensation amount as they are not party to the proceeding. Hence, application being inapt stands dismissed.

**[K. K. SONAWANE]
JUDGE**