

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

**CIVIL APPLICATION NO.95 OF 2020
IN FA/880/2016**

**MANGALABAI CHANDRAKANT CHOUNDA AND ORS.
VERSUS
THE DEPUTY CHIEF ENGINEER (CONSTRUCTION)
OFFICE OF DY. CHIEF ENGINEER (C),
CENTRAL RAILWAY PUNE AND ANR.**

Mr.S.P.Urgunde, Advocate for applicants
Mr.M.N.Navandar, Advocate for respondent no.1
Mr.S.N.Kendre, AGP for respondent no.2
Mr.S.V.Gundre, Advocate for respondent nos.3(1) to 3(4) and for applicants
in C.A. No.14161 of 2016

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 23, 2021**

ORDER :-

Heard.

2. This is an application for withdrawal of amount of compensation deposited in this Court. Vide order dated 24.10.2016 in Civil Application No.14161 of 2016, this Court has allowed the co-widow of Mangalabai and others, to withdraw 60% of the amount which fell due to their share in the amount of compensation awarded by the reference Court.

3. Learned counsel for the applicants in Civil Application No.14161 of 2016, has no objection to pass the order similar to one passed on 24.10.2016.

4. Originally there were eight claimants i.e. six children and two widows. The parties have no dispute over granting each of them one share in the amount of compensation. In view of the same, the applicants herein are permitted to withdraw 60% of the amount of compensation, which becomes payable as per their shares, on condition of furnishing usual undertaking to the satisfaction of learned Registrar (Judicial); and they are further permitted to withdraw balance 40% of the amount payable to them, on furnishing bank guarantee of a nationalised or scheduled bank.

5. The application stands disposed of accordingly.

[R.G. AVACHAT, J.]

KBP