

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

922 CIVIL APPLICATION NO.3155 OF 2022
IN FAST/40503/2019

MAHARU DHONDU FEGADE (DIED) THR LRS
JAUBAI (DIED) THR LRS KISAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr. Ajeet B. Kale.
AGP for Respondent/State: Mr. S. P. Deshmukh.
Advocate for Respondent No.3 : Ms. A. R. Mate, h/f Jay & Company.

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CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 01st April, 2022.

P.C.:

. It is an application for withdrawal of compensation amount moved by the applicants.

2 Heard Mr. Kale, learned counsel for the applicants, Ms. Mate, instructed by Jay and Company for acquiring body and Mr. Kulkarni, learned AGP for respondent/State.

3 Mr. Kale, learned counsel for applicants seeks leave to place on record copy of order passed in Civil Application No.6726 of 2020 with connected matters by this Court (Coram : V. K. Jadhav, J.) dated 4th November, 2020. Leave granted. The copy of order is taken on record and marked as 'X' for identification.

4 Mr. Kale, learned counsel for the applicants submits that this Court was pleased to allow the claimants in the above said group to withdraw 50% of the amount of compensation on furnishing undertaking and seeks similar relief.

5 Ms. Mate, instructed by Jay and Company for acquiring body and Mr. Kulkarni, learned AGP for respondent/State fairly conceded this position.

6 In connected matters arising out of same group, this Court was pleased to allow the claimants to withdraw 50% of the amount of compensation. By taking the same view, I am going to allow this application. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed as under:
- II. The applicants are permitted to withdraw 50% of the amount of compensation with accrued interest thereon on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

- III. Remaining 50% balance amount shall be invested in fixed deposit account in any Nationalized Bank initially for a period of one year with renewal clause.
- V. The application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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