

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

CIVIL APPLICATION NO.2810 OF 2022
IN
FIRST APPEAL NO.1659 OF 2013

BALIRAM NAGOBA DANDIME (DIED0 THR. LRS. DIPAK AND ORS.
VERSUS

THE STATE OF MAHARASHTRA THE COLLECTOR AND ORS.

Mr R.K. Ashtekar, Advocate for applicants

Mr S.S. Chillarge, Advocate h/f Mr A.N. Gaddime, Advocate for respondent
no.2

Mr S.N. Morampalle, A.G.P. for respondents no.1 and 3

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 25th April, 2022

PER COURT :

1. Not on board. Taken on board at the request of Mr R.K. Ashtekar, learned Advocate for applicants.
2. Mr Ashtekar seeks leave to place on record copy of order dated 1.4.2022 passed by this Court in C.A.No.2811 of 2022 in F.A.No.1661 of 2013 with connected matters. The copy of order dated 1.4.2022 is taken on record and marked as "X" for identification. He submits that this Court was pleased to allow the claimants to withdraw 15% amount of compensation with accrued interest thereon on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court. The single matter is remained. He seeks similar order.
3. Mr S.S. Chillarge holding for Mr A.N. Gaddime, learned Advocate for respondent no.2 and Mr S.N. Morampalle, learned A.G.P. for respondents no.1 and 3/State fairly conceded the position about earlier order passed by this Court. By taking same recourse, I proceed to pass the following order.

ORDER

- (i) The application is hereby allowed.
- (ii) The applicants/claimants are hereby permitted to withdraw 15% amount of compensation with accrued interest thereon on furnishing usual undertaking before the reference Court.
- (iii) Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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