

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

907 CIVIL APPLICATION NO.1571 OF 2020
IN FAST/17344/2019

AMRUT RAMCHANDRA PATIL (DIED) THR LRS. RAVINDRA AMRUTPATIL AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

Mr M.R. Malpani, Advocate h/f Mr A.B. Kale, Advocate for applicants
Mr N.T. Bhagat, A.G.P. for respondents no.1 and 2
Ms Ashwini Mate, Advocate i/b Jay and Company for respondent no.3

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 6th April, 2022

PER COURT :

1. It is an application for withdrawal of compensation amount moved by the applicants/original claimants.
2. Heard Mr Malpani holding for Mr A.B. Kale learned Advocate for applicants. Ms Ashwini Mate instructe by Jay and Company/respondent no.3 and Mr N.T. Bhagat, learned A.G.P. for respondents No.1 and 2.
3. Mr Malpani, learned Advocate for applicants seeks to place on record copy of order passed by this Court (Coram : R.G. Avachat, J.) in Civil Application No.3230 of 2020 in Civil Application No.17364 of 2019 dated 8.10.2021. He seeks similar relief. Mr N.T. Bhagat learned A.G.P. for respondents No.1 and 2 and Ms Ashwini Mate, learned Advocate for respondent No.3 fairly concede this position about passing of order by this Court. On the same line, I proceed to pass the following order.

ORDER

- (i) The Civil Application is hereby allowed.
- (ii) The applicants/original claimants are hereby permitted to withdraw 50% of amount of compensation with accrued interest thereon on furnishing usual undertaking to the satisfaction of reference Court.

- (iii) Registry is directed the transfer the amount of 50% with accrued interest thereon to the reference Court for payment thereof to the applicants/original claimants.
- (iv) Once the undertaking is furnished by the applicants/original claimants before the reference Court, the reference Court is directed to transmit it to this Court, immediately.
- (v) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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