

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

922 CIVIL APPLICATION NO.5147 OF 2022
IN FA/645/2022

KAMLAKAR PANDURANG GILAKE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH COLLECTOR, OSMANABAD AND OTHERS

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Advocate for Applicants : Mr. Vivekanand B. Deshmukh.

AGP for Respondent/State: Mr. S. P. Deshmukh.

Advocate for Respondent No.3: Mr. R. A. Tambe.

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

DATE : 26th April, 2022.

P.C.:

. It is an application for withdrawal of compensation amount moved by the applicant/claimant.

2 Heard Mr. V. B. Deshmukh, learned counsel for the applicant, Mr. Tambe, learned counsel for respondent No.3/acquiring body and Mr. S. P. Deshmukh, learned AGP for respondent Nos.1 and 2/State.

3 The learned counsel for applicant seeks leave to place on record copy of order passed earlier by this Court in Civil Application No.2979 of 2022 with connected matters. Leave granted. The same is taken on record and marked as 'X' for identification.

4 The learned counsel for applicant seeks similar relief of withdrawal of compensation.

5 The learned counsel for acquiring body and the learned AGP for the State fairly conceded the position about passing of earlier order by this Court thereby allowing the claimants to withdraw entire amount of compensation with accrued interest thereon on furnishing necessary undertaking. I do not see any reason to take any different view. By taking the same view, I proceed to pass the following order:

ORDER

- I. The application is hereby allowed.
- II. The applicant/claimant is hereby permitted to withdraw entire amount of compensation with accrued interest thereon on furnishing necessary undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- III. On furnishing such undertaking by the applicant/claimant, the Registry to make payment to the claimant with accrued interest thereon.
- IV. The application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]