

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

934 CIVIL APPLICATION NO.6109 OF 2022
IN FA/724/2019

SUNIL DHARMARAJ KAKADE (DIED) THR LRS MANGAL AND ORS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

Mr R.D. Khadap, Advocate for applicants
Mr D.M.Vir, Advocate h/f Mr S.D. Dhongade, Advocate for respondent no.1
Mr A.B. Chate, A.G.P. for respondents no.2 and 3/State

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 19th April, 2022

PER COURT :

1. It is an application for withdrawal of compensation amount moved by the applicants.
2. Heard Mr R.D. Khadap, learned Advocate for applicants, Mr D.M. Vir holding for Mr S.D. Dhongade, learned Advocate for respondent no.1 and Mr A.B. Chate, learned A.G.P. for respondents no.2 and 3/State.
3. This Court in Civil Application No.15239 of 2019 in First Appeal No.722 of 2019 with connected matters was pleased to allow the claimants to withdraw in all 75% of the amount of compensation. 50% on furnishing usual undertaking and 25% on furnishing solvent surety/security. By taking same view, I proceed to pass the following order.

ORDER

- (i) The application is hereby allowed.
- (ii) The applicants are permitted to withdraw 50% of the amount of

compensation with accrued interest thereon on furnishing usual undertaking with the Registrar (Judicial) of this Court.

(iii) The applicants are further permitted to withdraw 25% of the amount of compensation with accrued interest thereon on furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court.

(iv) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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