

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

947 CIVIL APPLICATION NO.8366 OF 2022
IN FA/3318/2019 WITH CA/8287/2017 IN FA/3318/2019

GORAKH PANDURANG KALLAMKAR (DIED) THR LRS. PRAMOD
(DIED) THR LRS. SUNITA AND OTHERS
VERSUS
THE EX. ENGINEER, (P.T. AND M.I. WORKS) NO.1, OSMANABAD
AND ORS

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Advocate for Applicants : Mr. V. S. Undre
AGP for Respondent Nos.2 & 3: Mr. S. R. Yadav
Advocate for Respondent No.1 : Mr. S. D. Dhongade

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 11/08/2022.

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P. C. :

1. Heard rival submissions. The applicants, who are the legal heirs of deceased Pramod Gorakh Kalamkar i.e. son of original claimant.

2. As per the order dated 02/08/2021 this court had allowed the original claimant to withdraw 75% of the deposited compensation amount on furnishing usual undertaking. Accordingly, the legal heirs of original claimant- Gorakh, namely Sharda Gorakh Kalamkar and Rameshwar Gorakh Kalamkar in view of order dated 04/08/2021 have withdrawn 50% of the deposited compensation amount on furnishing undertaking. While withdrawing the said amount, 25% of the deposited amount was separately kept as it is since Gorakh had one more son by name Pramod. The present applicants are legal heirs of deceased Pramod and as per the initial order dated 02/08/2021 they are entitled for

withdrawal of 25% of the deposited compensation amount along with the accrued interest thereon till date. Hence, application stands allowed and the applicants who are the legal representatives of deceased Gorakh Kalamkar are permitted to withdraw 25% of the deposited compensation amount on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

3. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-