

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

**912 CIVIL APPLICATION NO.13447 OF 2021
IN FA/1156/2015**

MANGAL RAJENDRA GOSAVI AND OTHERS	..APPLICANTS
VERSUS	
UDDHAV YASHWANT AVHAD AND OTHERS	..RESPONDENTS

Advocate for the Applicants : Mr. R.R. Karpe
Advocate for Respondent No.3 : Mr. M.M. Ambhore

**CORAM : VINAY JOSHI, J.
DATE : 19.01.2022.**

PER COURT :-

The applicants who are original claimants are seeking for withdrawal of compensation amount. Particularly, it is submitted that in terms of order of this Court, the applicants have received most of the amount and now they are claiming for withdrawal of Rupees 3,00,000/- invested in the name of applicant No.1 Mangal W/o Rajendra Gosavi in pursuance of order of this Court. It is submitted that, though this Court has passed the order disposing of appeal on 3rd August, 2018, however, as the enhanced amount has been deposited late by the Insurance Company. the amount of Rs. 3,00,000/- has been deposited with Nationalized Bank on 24.08.2020.

2. It is submitted that as per order of this Court, dated 3rd August, 2018, the investment period should be for the three years i.e. up to 2nd August, 2021.

3. It reveals that this Court has directed to invest the amount for three years only and now the period of three years has already passed from the date of passing of this order. Only because, the Insurance Company has belatedly deposited the amount, applicant shall not be deprived. However, it is pointed out that applicant has not deposited deficit Court Fees of Rs. 13, 815/- till date, despite order of this Court. Having regard to facts the application stands allowed. The applicant No.1 Mangal W/o Rajendra Gosavi is permitted to withdraw the invested amount of Rs. 3,00,000/- (Rupees Three lakh) along with accrued interest if any with condition that she should deposit entire deficit Court Fees stamps as condition precedent. The trial Court shall ensure that the applicant No.1 Mangal Rajendra Gosavi has deposited entire Court Fees Stamps before releasing the amount to the applicants.

4. Application stands disposed of .

(VINAY JOSHI)
JUDGE