

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

**CIVIL APPLICATION NO.3139 OF 2023 IN  
CIVIL APPLICATION NO. 15929 OF 2022 IN  
FIRST APPEAL NO. 4009 OF 2022**

Shivaji s/o Ramdas Dure & others Applicants

Versus

The State of Maharashtra & another Respondents

Mr. N. D. Kendre, advocate for the Applicants  
Mr. S. S. Dande, AGP for Respondents No.1 & 2.

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 09<sup>th</sup> March, 2023.**

**PC :**

Heard rival submissions.

The applicants are seeking permission to withdraw the amount of compensation as per the order dated 05.12.2022 in C.A. No. 15929 of 2022, by applicant no.1 for himself and on behalf of applicants no. 2 and 3. They claimed that applicants no.2 and 3 have executed registered power of attorney in favour of applicant no.1 for withdrawal of amount. The copy of the said power of attorney is also

annexed with the Civil Application.

However, considering the complications, which may arise in future as regards withdrawal of amount in the name of applicant no.1 only, I am not inclined to permit such withdrawal by applicant no.1, at this juncture. However, the applicants may withdraw the amount of compensation jointly as per the order dated 05.12.2022, after due verification.

Civil Application is accordingly rejected.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

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