

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

**944 CIVIL APPLICATION NO.4678 OF 2023
IN FA/2563/2021**

MARUTI KHANDU WAGALGAVE (DIED) THROUGH LRS
ANJANABAI (DIED) THROUGH LRS. VENKAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
LATUR AND OTHERS

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Ms. L.C. Thakure, Advocate holding for Mr. L.C. Patil,
Advocate for the applicant.

Mr. S.S. Dande, A.G.P. for respondent Nos. 1 and 2.

Mr. B.A. Shinde, Advocate for respondent No.3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13th April 2023.

ORDER:-

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the amount of compensation as per the order dated 23.08.2021. The office has raised objection that the applicant No.1 Anjanabai who is admittedly no more, was also party to the main appeal and the main appeal was dismissed on her death and her legal heirs were not brought on record. However, the copy of heirship certificate filed alongwith this application indicates that the present applicant No.2 is the only legal heir of deceased Anjanabai, who admittedly died on 06.03.2017. As such, the deposited amount is permitted to be withdrawn by the present

applicant Venkat Maruti Wagalgave as per the order dated 23.08.2021 alongwith the accrued interest thereon.

3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)