

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

928 CIVIL APPLICATION NO.7465 OF 2020
IN FA/3881/2019

JEEVAN EKNATH DHONE (DIED) THR LRS INDUBAI JEEVAN
DHONE
VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicant : Ms. Sakshi Kale h/f Mr. A. B. Kale
AGP for Respondent -State: Mr. S. W. Mundhe
Advocate for Respondent No.3 : Mr. S. C. Arora

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 24/02/2023.**

P. C. :

1. The learned counsel Mr. S. C. Arora on behalf of acquiring body, tendered across the bar the copy of death certificate of respondent No.1 Jivan Eknath Dhone, who died on 20/10/2014. Taken on record. He further submits that the sole legal heir of Jivan is already on record as respondent no.2. In view of the same, the name of respondent no.1 be deleted forthwith.
2. Heard rival submissions.
3. The applicant is seeking withdrawal of the entire deposited amount of compensation.
4. The learned counsel for the applicant placed on record order dated 04/11/2020 whereby this court in other connected matters had permitted the applicants therein to withdraw 60% of the deposited amount. In view of the same, the applicant herein is also permitted to withdraw 60% of the deposited amount alongwith the interest accrued thereon i.e. 40% on furnishing usual undertaking

and 20% on furnishing solvent surety / security to the satisfaction of the Registrar (Judicial) of this court.

5. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-