

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

**CIVIL APPLICATION NO.13612 OF 2022 IN  
FIRST APPEAL NO. 3198 OF 2016**

Suresh Shripati Bhoite

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. Shoyab Shaikh, advocate for the Applicant  
Mr. S. N. Kendre, AGP for Respondents No.1 & 2.  
Mr. S. G. Sangle, advocate for Respondent No.3.

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

**DATE : 20<sup>th</sup> February, 2023.**

**PC :**

The learned Counsel Mr. K. R. Doke submits that the appearance of advocate Shri S. S. Shinde shown on behalf of intervenor in CA No. 4076 of 2018 be discharged as he is appearing on behalf of the intervenor. As such, appearance of advocate Mr. S. S. Shinde stands discharged.

Heard rival submissions.

The applicant is claiming withdrawal of amount of compensation to the extent of his share i.e. 1/5th share.

However, it appears that RCS No. 18 of 2017 is pending wherein all the legal heirs of deceased Shripati Bhoite have claimed their respective shares in the amounts of compensation. Unless the shares of all such legal heirs are determined by the competent Civil Court, no permission to withdraw any amount can be granted at this juncture.

In view of the same, Civil Application for withdrawal, at this stage, stands rejected.

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

adb