

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.14819/2016

**939 CIVIL APPLICATION NO. 14819 OF 2016
IN FA/2690/2009**

UDAYKUMAR VAIJNATH PENSALWAR SINCE DECEASED
AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicants : Mr. More P. P.
AGP for Respondent/State: Mr. S.P. Deshmukh
Advocate for Respondent No.2 : Mr. G.S. Khaire h/f. Mr.
S.S. Dande.

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CORAM : P.R. BORA, J.
Dated: November 18, 2016

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PER COURT :-

1. It is submitted that after passing of the order by this Court (Coram : S.V. Gangapurwala, J.) on 6th of July, 2012, in C.A.No.7143/2012, thereby allowing the applicants in the said application to withdraw certain amounts in terms of the said order, applicant No. 1 Udaykumar expired on 30th of August 2015. Learned counsel submitted that applicant no.1 was unmarried and has not left behind any other legal heir except applicant no.2 i.e. his father. In the circumstances it is prayed that the amount so permitted to be withdrawn by this court vide the aforesaid order passed on 6th July 2012 shall be permitted to be withdrawn by applicant no.2 alone in terms of the order so passed. The death certificate of Uday

AGP/-

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is placed on record and in the application it is specifically averred that deceased Udaykumar has not left behind any other legal heir except his father i.e. applicant no. 2. In view of the submission so made the application is allowed in terms of prayer clause B. Application is disposed of.

(P.R. BORA, J.)

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