

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 361 OF 2017
IN FA/33/2007

HARI NARAYAN JADHAV SINCE DECEASED THR LRS ZUNGABAI AND
ORS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Gawali Amol K.
AGP for Respondents: Mr. C.V. Dharurkar
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CORAM : V. K. JADHAV, J.
DATED : 11th JANUARY, 2017

PER COURT:-

1. Learned counsel for the applicants submits that this court while granting stay to the execution proceedings, directed the appellants to deposit the amount before this Court and by order dated 16.7.2010, the applicants were allowed to withdraw 75% amount by furnishing the bank guarantee and the remaining 25% amount was directed to be invested in fixed deposit in any nationalized Bank. Learned counsel submits that the appeal is now finally disposed of and the applicants are now entitled for withdrawing the remaining amount of 25% alongwith accrued interest. Learned counsel submits that as prayed in prayer clause "B", the cheque be issued in the name of applicant Nos. 3, 7 and 16. Learned counsel submits that the affidavit of other applicants are filed on record to the effect that they have no objection if the cheque is issued in the name of those three persons.

2. Learned A.G.P. has no objection if the application is allowed.
3. In view of the above submissions and since the appeal is disposed of finally, the application is allowed in terms of prayer clause "B" and disposed of.

(V. K. JADHAV, J.)

rlj/