

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 CIVIL APPLICATION NO. 1945 OF 2017
IN FA/1372/2003

ASHA WALMIKRAO MUNDE SINCE DECEASED SATISH AND ANR
VERSUS
TANAJI GAJENDRA GAWALI AND ANR

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Advocate for Applicants : S G Chapalgaonkar
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CORAM : V.K. JADHAV, J.
DATE : 10-02-2017.

P.C. :

1. Heard the learned counsel for the applicants. None present for the respondent no.2 The first appeal came to be disposed of by the division bench of this Court by order dated 10.10.2006. After disposal of the said appeal, the applicants have filed civil application no. 3507 of 2007 for withdrawal of the amount. In para no. 4 of the order, this court has directed to invest an amount of Rupees Four Lakhs in a fixed deposit for a period of three years in the names of deceased applicant Asha and the applicant nos. 2 and 3 herein and further permitted them to withdraw the interest accrued thereon on the said fixed deposit. The division bench of this Court has further directed that on maturity of the fixed deposit, the said claimant Asha shall obtain orders of this court for withdrawal of principal amount.

2. The learned counsel for the applicants submits that the

original claimants Asha Walmikrao Munde died on 29.05.2013 and the death certificate is produced along with this civil application. In view of the above, no purpose would be served in keeping the aforesaid amount in fixed deposit for a further period. The applicants are therefore permitted to withdraw the entire amount along with the accrued interest. Civil application is allowed and accordingly disposed of.

(V.K. JADHAV)
JUDGE

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