

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO. 7676 OF 2018
IN FA/896/2002

VANDANA SURYAKANT SOLAV AND ORS
VERSUS
GUNDAPPA MANDOLAPPA SAMANGAVE AND ORS

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Advocate for Applicants : Mr. P.D. Suryawanshi
Adv. for Respondent 2 : Mr. Ranjana R. Reddy

CORAM : K.K. SONAWANE, J.
DATE : 21st JUNE , 2018.

PER COURT:

The present application is filed with a prayer that applicant Nos. 1, 2 and 4 be permitted to withdraw the decretal amount deposited by respondent Nos. 1 and 2 . It has been submitted that the applicant No.3 Bhimrao Kashiba Solav is no more and has died in the year 2017. According to learned counsel, the applicant Nos. 1,2 and 4, are only legal heirs of deceased Bhimrao. It is true that the present appeal came to be filed on behalf of 4 appellants including applicant Bhimrao. Learned counsel submits that he is no more but no requisite amendment in regard to death of deceased appellant Bhimrao has been carried out on record. No legal heirs are brought on record. There were no steps taken for bringing LRs of deceased Bhimrao on record. In such circumstances, the applicants cannot be allowed to withdraw the amount which has also been allotted to the share of deceased Bhimrao. The application being devoid of substance, the same stands dismissed.

[K.K. SONAWANE]
JUDGE.

grt/-