

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

**944. CIVIL APPLICATION NO.12233 OF 2018
IN FIRST APPEAL NO.1126 OF 2018
WITH CIVIL APPLICATION NO.14383 OF 2017
IN FIRST APPEAL NO.1126/2018**

...

**RUKHAMINIBAI GOPALRAO THATTE (DIED) THR LRS
VIJAYA AND OTHERS**

VERSUS

**MARATHAWADA KRISHI VIDYAPEETH PARBHANI THR
ITS REGISTRAR AND ANR.**

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Shri. D.V.Soman, Advocate for the applicants.
Shri A.M.Phule, AGP for the respondent —
State.

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CORAM : P.R.BORA, J.

DATE : 03.10.2018

ORDER:

1. Heard Shri D.V.Soman, learned counsel appearing for the applicants. The learned counsel submitted that this Court, vide order passed on 29th August, 2018, has permitted the applicants to withdraw 50% of the deposited amount on submitting an undertaking to the satisfaction of the Registrar of this Court and balance 50% amount is directed to be invested in Fixed Deposit Receipt. The learned counsel

submitted that all the applicants in the present case are of the age about 80 years. It is not possible for all these applicants to come to the Aurangabad for furnishing undertaking before the Registrar. In the circumstances, the request is made to allow the present applicants to submit their undertakings through the Power of Attorney Holder.

2. I do not see any reason for not accepting the request so made. Ultimately, the amount will be deposited directly in the accounts of the applicants. The Application, therefore, deserves to be allowed and is accordingly allowed in terms of prayer clauses "B" and "C".

3. Civil Application No.12333 of 2018 stands disposed of.

[P . R . BORA]
JUDGE