

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO.11749 OF 2019
WITH CA/11506/2019 IN WP/11749/2019

SHEELABAI AVDHOOR GORE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Shri Nagargoje Ankush N.
AGP for Respondents 1 to 3 : Shri Yadav-Lonikar S.R.
Advocate for Respondents 4 & 5 : Shri Ghatge Mahesh V.
Advocate for Intervenor : Shri Gadegaonkar B.N.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: September 25, 2019

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PER COURT :-

1. The learned Advocates for the respective claimants submit that an amount of Rs.5,00,586/- is preserved by respondent No.3 since the share would have gone to Godavaribai, who has expired. RCS No. 185 of 2018 is pending before the trial Court and the disbursement of the amounts has been made subject to the result of the said proceedings. The petitioners are the married daughters of deceased Godavaribai.

2. In view of the above, this petition is disposed off by directing respondent No.3 to deposit the said amount of Rs.5,00,586/- before the trial Court within six weeks from today. The trial Court would invest the said amount in a Nationalized Bank at Nanded in a fixed

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deposit till the suit is decided. Those claimants, who have withdrawn the amounts of compensation and are litigating sides in this litigation, shall note that such withdrawal would be subject to the result of the civil litigation and in the event they are found to have received amounts in excess of the compensation to which they are entitled to, the excess amounts shall be deposited before the trial Court within the appeal period, failing which the amount would carry interest @ 3% per annum from the date of receiving the compensation.

3. Pending civil application is allowed since the intervenors are already parties to the civil proceedings.

(RAVINDRA V. GHUGE, J.)

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