

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

**CIVIL APPLICATION NO. 14348 OF 2019 WITH  
CIVIL APPLICATION NO. 14349 OF 2019 IN  
WRIT PETITION NO. 2118 OF 2001 WITH  
WRIT PETITION NO. 6492 OF 2008**

MAHARASHTRA HOUSING AND AREA DEVELOPMENT  
AUTHORITY AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Applicants : Smt. Renuka B.Ghule - Palve  
AGP for Respondent Nos. 1 and 2 : Shri S. W. Munde  
Advocate for Respondent Nos. 3 to 7 : Shri A.D. Shinde  
(Advocate for Respondent Nos. 3 to 5 in W.P.No.6492/2008)

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**CORAM : RAVINDRA V. GHUGE, J.**

**DATED : 05<sup>th</sup> DECEMBER, 2019**

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***PER COURT :***

1. The Applicants are the original petitioners in Writ Petition No. 2118/2001, which has been abated by order dated 15/11/2019. The L.Rs. of the sole deceased respondent were not brought on record notwithstanding that the Petitioner was intimated by the Advocate for the deceased respondent under Order 22 Rule 10-1A.

2. The learned Advocate for the Petitioners submits that out of the total amount of Rs. 7.5 Lakhs which are to be paid to the Respondents, an amount of Rs. 2.5 Lakhs has been paid in 1989. The remaining amount is yet to be paid.

3. The learned Advocate for respondent Nos. 3 to 7, who are the LRs.of the deceased sole respondent Manohar, submits that he is causing an appearance on instructions on their behalf. He submits that an amount of Rs. 5 lakhs is yet to be paid.

4. The learned Advocate for the Petitioners submits on instructions that the amount of Rs. 3.5 Lakhs, in view of the order of this Court dated 15/11/2019, shall be deposited in this Court, on or before 02/01/2020.

5. In view of the above, Civil Application No.

14348/2019 be listed on 03/01/2020 in the “urgent orders category”. If the amount is deposited and if the L.Rs. move an application for withdrawal of the said amount, the same would be permitted subject to filing of an affidavit undertaking.

6. In view of the above, Civil Application No. 14349/2019 is allowed as the LRs. of the deceased original respondent Manohar are already before this Court. L.Rs. of the deceased Petitioner shall be brought on record on or before 19/12/2019.

7. It is clarified that only if the money is deposited on 02/01/2020, the Civil Application will be considered favourably on 03/01/2020.

**(RAVINDRA V. GHUGE, J.)**

shp/-