

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.4485 OF 2018

SINDHUBAI DADARAO THOMBARE  
VERSUS  
COMPETENT AUTHORITY DEPUTY COLLECTOR LAND ACQUISITION AND  
OTHERS

Mr.P.M. Nagargoje, Advocate for the petitioner.  
Mr.S.S. Deve, Advocate for respondent No.1.  
Mr.S.G. Chapalgaonkar, Advocate for respondent No.3.

CORAM : Z.A.HAQ &  
S.M.GAVHANE, JJ.  
DATED : 02.03.2020

P.C. :-

01. Heard. By this petition the petitioner has prayed for Writ of Mandamus directing the respondent No.2 – The Branch Manager, State Bank of Hyderabad [now merged into State Bank of India] to release the amount from the freezed account of the petitioner. There is dispute about the entitlement of the petitioner for the amount, which is in lieu of the compensation of land, the dispute being between petitioner and her brother-in-law (husband's brother).

02. Learned Advocate for the respondent No.3 pointed out the order passed by the learned Civil Judge, Senior Division, below Exh.59, in Special Civil Suit No.2 of 2016 on 26<sup>th</sup> October, 2018. It is further submitted on behalf of the respondent No.3 that the petitioner has withdrawn substantial amount and only fraction of amount remains in her account with respondent No.2 – Bank.

03. We find that necessary pleadings are not incorporated in the petition. We proposed to dismiss the petition for want of necessary pleadings. However, learned Advocate for the petitioner sought permission to withdraw the petition with liberty to file proper petition.

04. Accepting the submission, the petition is disposed as withdrawn with liberty as prayed for. In the circumstances, the parties to bear their own costs.

( 3 )

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