

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

**CIVIL APPLICATION NO. 6159 OF 2020
IN
FIRST APPEAL NO. 1292 OF 2012**

Ashok Vaijanath Sawant

Died through Lrs.

Vaijanath Ramrao Sawant

... Applicant

Versus

The Executive Engineer,

Latur Minor Irrigation Division, Latur & anr

... Respondents

....

Mr. Ashwin Sakolkar, Advocate h/f Mr. V. G. Sakolkar, Advocate for the applicant

Mr. S. P. Sonpawale, Advocate for respondent No.1

Mr. Y. G. Gujrati, AGP for respondent No.2

....

CORAM : R. G. AVACHAT, J.

DATED : 24th FEBRUARY, 2021

PER COURT :-

. This Court, vide order dated 09.04.2014, has allowed the application for withdrawal of the amount. By that time, when the said order was passed, the applicant Ashok (deceased) was minor. Before withdrawal of the amount, Ashok passed away. Now, the application is moved by his father, claiming to be the sole representative of his deceased son Ashok. The amount to be withdrawn is Rs. 1,71,868/-. The applicant is the only legal heir of deceased Ashok. He would be entitled to receive the amount.

2. The civil application is therefore allowed in terms of prayer clause "B".

3. The applicant to furnish solvent security in the sum of the amount to be withdrawn.

[R. G. AVACHAT, J.]

SMS