

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

**CIVIL APPLICATION NO.5161 OF 2021
IN
FIRST APPEAL NO.2042 OF 2015**

**RAMKRISHNA AMBADAS MADAKE (DIED),
THROUGH LRS. URMILA RAMKRISHNA MADKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH COLLECTOR, OSMANABAD AND OTHERS**

Mr.V.V.Ingale, Advocate for applicants
Mr.S.S.Dande, AGP for respondents
Mr.S.B.Chaudhari, Advocate for applicants in C.A. No.12382 of 2018

**CORAM : R.G. AVACHAT, J.
DATE : JULY 14, 2021**

PER COURT :-

Heard.

2. There is application for intervention (C.A. No.12832 of 2018), claiming to be daughter and widow of the deceased. The intervenors had also approached the executing Court. Their intervention in the execution proceedings was allowed. Said order was challenged in a Writ Petition before this Court. The Writ Petition was allowed remanding the matter back to the Executing Court to decide status of the intervenors.

3. With a view to protect the interest of the minor claiming to be daughter of the deceased, it is desirable to permit present applicants to withdraw only 50% of the amount deposited in this Court.

4. Hence, the following order :-

ORDER

(i) Civil Application No.5161 of 2021 is partly allowed.

(ii) The applicants are permitted to withdraw 50% of the deposited amount, on furnishing usual undertaking to the satisfaction of learned Registrar (Judicial) of this Court.

[R.G. AVACHAT, J.]

KBP