

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

**CIVIL APPLICATION NO.7339 OF 2021
IN WP/1879/2019**

**B. R. SHRINGURE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SUPERINTENDENT
ENGINEER PWD OSMANABAD AND OTHERS**

...
Advocate for Applicants : Mr. Patil Indrale Anand V.
AGP for Respondents: Mr. P.N. Kutti
...

CORAM : MANGESH S. PATIL, J.

DATE : 13.08.2021

PER COURT :

Leave is granted to correct the name of the applicant Nos.6.

2. The Writ Petition was filed by the State against the Union of which the applicants are the members. They have been found entitled to lay a monitory claim in respect of the work discharged on holidays. Pursuant to the order in the Writ Petition, money has been deposited in respect of each of these applicants by giving a list. Since the Writ Petition now stands disposed of and the Secretary has died, by the order dated 10.02.2021 they have been allowed to be impleaded in the Writ Petition. Now they are claiming that the amount may be allowed to be withdrawn.

3. After hearing both the sides, it appears that some of the applicants have died and there are no heirship or succession certificates. In the absence of succession certificate nothing can be allowed to be

withdrawn by their heirs.

4. So far as applicant Nos. 6 and 29, it is pointed out that in the list submitted along with the amount while depositing it, their names have been incorrectly mentioned. Applicant No.6 is N.A. Suvarnakar and Applicant No.29 is G.P. Chalganje instead of A.N. Suvarnakar and N.G. Chalganje. Therefore, it is only because of such mistake they have not been allowed to withdraw money.

5. The Application is allowed. The amount may now be allowed to be withdrawn by the applicant Nos. 6 and 29 as is mentioned in the list at page No.21.

(MANGESH S. PATIL, J.)

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