

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

34 CIVIL APPLICATION NO.10384 OF 2022
IN FIRST APPEAL NO. 469 OF 2022

HANMANT SAMBHAJI BIRAJDAR (DIED) THROUGH
L.Rs.BABRUWAN & OTHERS
VERSUS
THE EX. ENGINEER, K.K.V.D.C. OMERGA DIV. & OTHERS

...

Advocate for the applicants : Mr.Apparao Yenegure
Advocate for respondent no.1 : Mr.R.A.Tambe

...

CORAM : S.G.DIGE, J.
DATE : 18.07.2022

P.C. :

1] Heard the learned counsel for the applicants
and learned counsel for respondent no.1.

2] The learned counsel for the applicants submits
that this Court has permitted the applicants to withdraw the
amount but there are 9 applicants and the Bank is not
permitting to open bank account in the name of 9
applicants. Applicant no.1-C, namely, Satling Hanumant
Birajdar has opened bank account, hence, the entire amount
be deposited in his bank account. The rest of the applicants

have given their no objections for depositing the amount in the account of applicant no.1C, namely, Satling Hanumant Birajdar. The learned counsel for the applicants further submits that applicant no.1-C's saving bank account number is 300006041974 at Janta Sahakari Bank, Omerga and requested to give direction to the learned Registrar [Judicial] to deposit the amount in the bank account of applicant no.1-C, namely, Satling Hanumant Birajdar.

3] I have heard both learned counsel. This Court has already passed the order dated 23rd February, 2022, permitting the applicants to withdraw the amount deposited before this Court by the respondents. Technical difficulty is that there are 9 applicants and the bank is not permitting to open joint account in the name of 9 applicants. There is bank account in the name of applicant no.1-C, namely, Satling Hanumant Birajdar and other applicants have consented to deposit the amount in his bank account. Hence, I pass the following order :

ORDER

i] The application is allowed in terms of prayer clause-B.

ii] The learned Registrar [Judicial] shall deposit the amount deposited by respondent no.1 in the saving bank account No.300006041974 of Omerga Janta Sahakari Bank, Omerga of the applicant no.1-C. The rest of the applicants shall furnish affidavits before the learned Registrar [Judicial] of this Court stating that they have no objection for depositing the amount in the name of applicant No.1-C, namely, Satling Hanumant Birajdar.

iii] Civil Application is disposed of accordingly.

[S.G.DIGE]
JUDGE

DDC