

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

915 CIVIL APPLICATION NO.13670 OF 2021
IN REJECTED CASE/84/2020 IN FAST/33637/2018

PREMNATH RAGHUNATH GAIKWAD (DIED) THR LRS
HIRAKANABAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Ajeet B. Kale.
AGP for Respondent/State: Mr. P. M. Kulkarni.
...

CORAM : **SHRIKANT D. KULKARNI, J.**
DATE : 01st April, 2022.

P.C.:

. It is an application for withdrawal of compensation amount deposited by the State.

2 Heard Mr. Kale, learned counsel for applicants Mr. Kulkarni, learned AGP for respondent Nos.1 and 2/State.

3 It is revealed during the course of argument that the State has failed to bring on record legal heirs of original claimant, who was reported to be dead. As such, the civil application for bringing on record legal heirs of original claimant came to be disposed of as dead under order of this Court dated 27th November, 2019. In view of the above said order passed by this Court, the office has rejected to register the matter. Now, the amount is lying with the Registry. When

the office has refused to register the case and there are no steps on behalf of the State to restore the matter, there is no propriety in keeping the amount idle with the Registry. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed in terms of prayer clause 7(II) on condition that the applicants shall furnish usual undertaking with the Registrar (Judicial) of this Court.
- II. Civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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