

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

**CIVIL APPLICATION NO. 15801 OF 2022
IN
FIRST APPEAL NO. 3783 OF 2022**

Jilani Nabi Jamadar
(Since deceased through L.Rs.)
Tamijbi Jilani Jamadar and Others ..APPLICANTS

VERSUS

State of Maharashtra and Another ..RESPONDENTS

**WITH
CIVIL APPLICATION NO. 15802 OF 2022
IN
FIRST APPEAL NO. 3784 OF 2022**

Dadamiyan Mohammad Mulla ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

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Mr. G.R. Syed, Advocate for applicants
Mr. S.P. Sonpawale, A.G.P. for respondent no.1 – State
Mr. S.S. Dande, Advocate for respondent no.2

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**CORAM : R.G. AVACHAT AND
R.M. JOSHI, JJ
DATE : 16th DECEMBER, 2022**

PER COURT :

1. Both these applications are filed by the original complainants for the reason that pursuant to orders passed by this Court, certain amount was allowed to be withdrawn. But at that time, the interest accrued on that

amount was not given to the claimants. These applications are for the said interest part only.

2. Learned counsel for the applicants submitted that if it is only question of interest on the amount which is already withdrawn, then by imposing some condition for allowing the withdrawal, present applications can be considered.

3. It is a right of the claimant to get interest accrued on the amount allowed to be withdrawn till date of its withdrawal, which was denied by this office. Hence, the applications deserve to be allowed.

4. In view of above, both the civil applications are allowed. The applicants – complainants be paid amount of interest accrued till date of withdrawal on the amount already withdrawn, on the same conditions on which they were allowed withdrawal of the said amount.

(R.M. JOSHI, J.)

SSD

(R.G. AVACHAT, J.)