

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8077 OF 2023
IN
WRIT PETITION NO.1879 OF 2019

S.S. Tugave
Died, through L.Rs.
Anand Somnath Tugave
and others

.... Applicants

Versus

The State of Maharashtra
and others

.... Respondents

.....
Mr. A.V. Patil Indrale, Advocate for the Applicants
Mr. S.R. Yadav Lonikar, AGP for Respondent Nos.1 to 4
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th JULY, 2023

ORDER :

1. By this application, the applicants seek permission to withdraw an amount of Rs.1,55,038/- along with accrued interest, deposited in the name of deceased S.S. Tugave/employee, of whom they claimed to be legal heirs.

2. By relying on the attestation of family tree issued by Deputy Tahildar, Basavakalyan Hobli, Taluka Basavkalyan, District Bidar, applicants claimed that they may be permitted to withdraw the said amount. Reliance is also placed on order passed by the learned Single Judge of this Court (Coram : Smt. Bharati H. Dangre, J.) dated 27/01/2022 in Civil

Application No.821 of 2022, which was filed by the mother of the applicants on account of death of their father, who was employed. Though the said application is allowed, in the interregnum before the amount could be withdrawn, the mother also expired on 31/12/2022. Hence, the present application.

3. Having heard the learned advocate for the applicants and the learned Assistant Government Pleader for the State, and for the reasons stated in the application, the application is allowed in terms of prayer clause (B), on condition that the applicants shall furnish an undertaking/indemnity bond at the time of withdrawal of the said amount.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane