



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

**CIVIL APPLICATION NO. 1747 OF 2024
IN FA/1455/2021**

**LAKHA SUKA MAHAR (DIED) THR LRS VIKRAM (DIED)
THR LRS Bhikan AND ORS
VERSUS
THE AREA KANAGER, M.I.D.C. JALGAON AND ORS.**

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Advocate for the applicants : Mr. Ajeet B. Kale
Advocate for the Respondent No. 1 : Mr. S.S. Dande
AGP for Respondents/State : Mr. G.O. Wattamwar

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CORAM : KISHORE C. SANT, J.

DATE : 18th JUNE, 2024.

PER COURT :

1. Heard for the parties.
2. This application is moved by the applicants through their GPA holder respondent No. 1-A Bhikan, for disbursement of the amount as pursuant to the order dated 31.10.2023 passed by this Court in Civil Application No. 11572 of 2023. This Court was pleased to allow the applicants to withdraw the amount deposited by the Acquiring Body appearing in this

Court.

3. By way of this application, the applicants have expressed a difficulty that at present there are in all 31 persons, who are the legal representatives of the Original Claimants. It is difficult for them to open the accounts in the Bank in their joint names, as the joint account can be opened at the most in the name of three persons. There is no specific apportionment in the order of withdrawal and therefore, the office is not in a position to bifurcate the amount to disburse to each of the applicants. The applicants have therefore, agreed that the amount be transferred in the name General Power of Attorney (GPA) holder namely Bhikan Vikram Jadhav, applicant No. 1-A.

4. This Court on the last occasion had directed the GPA holder to file affidavit/undertaking in this Court stating the manner in which the amount would be disbursed to each of the applicants on furnishing details after the amount is transferred to each of the applicants and the matter was adjourned. Today the parties are present in the Court. Today the GPA has furnished affidavit/undertaking on record giving

the details of the amount to be disbursed to each of the applicants. He has also undertaken that he will disburse the amount to each of the applicants as per the mutual understanding.

5. The said undertaking is taken on record and annexed as annexure 'X' for identification.

6. Learned Advocate for the appellants submits that after the amount is disbursed, it is necessary for the GPA holder to furnish the actual proof of disbursement of the amount in the Court.

7. Pursuant to the order dated 31.10.2023 50% of the amount with interest accrued on it is allowed to be withdrawn.

8. Considering the above, following order is passed :

ORDER

a) The application stands allowed and disposed off.

b) The undertaking dated 14.06.2024 furnished by the GPA holder that applicant No. 1-A is taken on record.

c) Office to transfer the amount in the account of the applicant No. 1-A.

d) The applicant No.1-A to disburse the amount as per the details given in the affidavit/undertaking.

e) The disbursement be made within four (4) weeks from today.

f) After the amount is disbursed to each of the applicants, the GPA holder shall furnish the details of actual transfer of the amount within two (2) weeks thereafter to the Court.

**(KISHORE C. SANT)
JUDGE**

mahajansb/