



**ORDER CORRECTED VIDE SPEAKING TO
MINUTES ORDER DATED 29 AUGUST 2024**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**912 CIVIL APPLICATION NO. 2480 OF 2022
IN WP/10715/2014**

- 1] Smt. Sumanta D/o Ramrao Sutare
 - 2] Shri. Chandrashekhar Gangluji Gajbhiye
 - 3] Shaikh Sabana W/o Parvin Bashir
 - 4] Kastura Dashrath Waghmare
 - 5] Shiladevi Raosaheb Gaikwad
 - 6] Shri Pratul Kunjbihari Awasthi
 - 7] Shri. Prakash Pandurang Mahale
 - 8] Damyanta Rustum Dongare
 - 9] Shri. Pradip Bhishanrao Dhokrat
 - 10] Smt. Lilabai W/o Karbhari Bagul
- .. Applicants

Versus

- 1] The State of Maharashtra
Through Secretary, Department of School Education,
Mantralaya, Mumbai (Through its Secretary)
 - 2] The Deputy Director of Education,
Aurangabad Division, Aurangabad
 - 3] The Education Officer (Primary),
Zilla Parishad, Aurangabad
 - 4] Vinay Shikshan Sanstha, Aurangabad
- .. Respondents

...
Advocate for petitioner : Mr. R.I. Wakade
AGP for the respondent – State : Mr. N.D. Batule
Advocate for respondent no. 3 : Mr. D.K. Rajput
...

**CORAM : MANGESH S. PATIL &
S.G. CHAPALGAONKAR, JJ.**

DATE : 09 AUGUST 2024

ORAL ORDER :

We have heard both the sides.

2. This is a civil application filed by the original petitioners seeking to withdraw 50% amount deposited by the Education Officer (Primary), Zilla Parishad, Aurangabad, as per the order of this Court dated 05-02-2019,

3. We have heard both the sides.

4. The writ petition has been disposed of finally by the order dated 05-02-2019. However, we could not find any direction in the final order pursuant to such earlier order passed for allowing the petitioners to withdraw the amount. In fact, 50% of the amount deposited in the Court was already withdrawn by the petitioners on furnishing an undertaking. By this application, they are claiming the remaining 50% amount.

5. In the absence of any stipulation in the final order passed by a co-ordinate division bench while disposing of the writ petition, since the petitioners have already been allowed to withdraw 50% amount by furnishing solvent surety, the application is allowed.

6. Office to verify and disburse remaining 50% of the amount as per the order dated 09-10-2017, on the same condition.

[S.G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/