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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**931 CIVIL APPLICATION NO. 2941 OF 2024
IN WP/8766/2019**

MANDABAI W/O JIJABA BATULE (DIED) THROUGH LRS SHESHRAO
AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.M.U.Shelke, Advocate for the Applicants.
Ms.Neha Kamble, AGP for Respondent Nos. 1 to 3.

**(CORAM : RAVINDRA V. GHUGE AND
R.M. JOSHI, JJ.)**

DATE : APRIL 26, 2024

PER COURT :

1. On 05.04.2024, we had passed the following order :-

“1. Applicants desire to withdraw their share from the amount deposited in this Court.

2. The learned AGP points out an order dated 16.03.2023 passed in WP No.8766/2019, wherein a statement was recorded that the Petitioners would execute sale deeds in terms of clause no.8 of the resolution dated 25.01.2017.

3. The learned Advocate for the Applicants submits that a short affidavit of the two Applicants declaring that they have executed sale deeds, which are registered, would be tendered to the Court alongwith copies of the registered sale deeds.

4. Let this exercise be completed within a week and the matter be listed on 19th April, 2024 in the urgent orders category.”

2. The Applicants have tendered an additional affidavit dated 17.04.2024, along with the copies of the registered sale deeds. We have also perused our earlier order dated 02.02.2024, passed on CA No.1248/2024.

3. The amount has been deposited in this Court vide the order of this Court, dated 02.03.2022. Since the deposited amount is in tune with the award and the Applicants desire to withdraw the same, which is an undisputed amount, the learned AGP does not oppose.

4. In view of the above, we refer to paragraph Nos. 2 and 3 of our order dated 11.04.2022, passed in WP No.8766/2019 and apply the same conditions to these Applicants with reference to the withdrawal of the amounts. **The Civil Application is allowed.** Needless to state, these Applicants would be identified by the learned Advocate and copies of their Aadhar card/ election ID card, shall be placed on record.

WRIT PETITION NO.8766 OF 2019

5. The learned Advocate for the Petitioners prays that the Petitioners desire to amend the Petition and add prayers claiming interest. We permit the Petitioners to amend and we expect from the Petitioners to mention in the amendment as regards the date on which they executed the registered sale deeds. The learned AGP submits that she relies upon certain circulars and the fact that this was a consenting award which dis-entitles the Petitioner from seeking any interest.

6. We have noticed an order of this Court (Coram : C.V.Bhadang and Sandipkumar C.More, JJ.) **dated 18.07.2022**, which is in the file of the Writ Petition. However, the learned Advocate for the Petitioner tendered the same order before us, having obtained it from the official website. However, it carries a different date '**19.07.2022**'. We, therefore, checked from the official website, in the Court hall and took a print out of the said order. The same carries the date '**19.07.2022**'.

7. We direct the learned Registrar (Judicial) to look into this aspect and submit a report to this Court, on 03.05.2024.

(R.M.JOSHI, J.)

(RAVINDRA V. GHUGE, J.)