

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

28 WRIT PETITION NO. 4051 OF 2024

**KACHRUBAI KHANDU SHELKE AND OTHERS
VERSUS**

MOHD AZIM ABDUL WAHAB AND ANOTHER

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Advocate for the Petitioners : Mr. Deshpande Gaurav L.

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CORAM : R. M. JOSHI, J.

Dated : December 02, 2024

PER COURT :-

1. This petition takes exception to order dated 09.01.2024 passed below exhibit 40 in MACP No. 36/2018, whereby application filed by Soni Khandu Shelke for withdrawal of the amount for compensation came to be rejected.

2. Record indicates that Soni Khandu Shelke is major. When the order in question was passed by the learned Tribunal in MACP No. 36/2018, Soni was minor and, therefore, at that time Tribunal was justified in keeping the said amount of her share in fixed deposit. Since she is now major, there cannot be any embargo for her to withdraw or utilize the said amount. Hence, the impugned order can not sustain and is set aside. Application exhibit 40 filed before Tribunal stands allowed.

3. Soni Khandu Shelke is permitted to withdraw the said amount subject to verification of her identity by the Registry before the Tribunal.

(R. M. JOSHI, J.)