



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 CIVIL APPLICATION NO. 3857 OF 2024
IN
WP/13704/2019

M/S CHANDAN ESTATE THR ITS PARTNERS AND ORS
VERSUS
STATE OF MAHARASHTRA THR MINISTRY OF REVENUE AND
FOREST AND ORS

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Advocate for Applicant : Mr. Bhandari Anand P.

AGP for Respondents: Mr. K. B. Jadhavar

Advocate for Respondent No.5C:

Mr. S. P. Salgar h/f. Mr. N. V. Gaware

Advocate for Respondent No.6 in WP :

Mr. S. S. Dudhane h/f. Mr. V. R. Dhorde

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18th APRIL, 2024

PER COURT:

1. Heard.
2. The learned counsel for the applicants has produced Demand Draft No.194573, in the name of Mr. Hasan Bau Zarekari and it is handed over to the learned counsel for Hasan Babu Zarekari. The learned counsel appearing for the Hasan Babu Zarekari has accepted the D.D. No.194573 and has given a discharge for the same. The costs stands paid to the plaintiff no.3.

3. Since there are legal heirs of plaintiff no.2, the petitioner is permitted to deposit the Demand Draft No.194572 in the name of the Registrar of this court.

4. The plaintiff no.2 legal heirs are permitted to withdraw the amount deposited in this court. The learned counsel appearing for the legal heirs of plaintiff no.2 submits that respondent no.5C - Rahul Ganesh Pawar, in the application, be permitted to withdraw the amount on behalf of all the legal heirs of plaintiff no.2 and he will file the authorisation on behalf of the legal heirs of the plaintiff no.2 to withdraw the amount in favour of respondent no.5C in the application.

5. Respondent no.5C in the application is permitted to withdraw the amount deposited for plaintiff no.2, however, he has to file the authorisation on behalf of the other legal heirs of plaintiff no.2. The authorisation will have to be verified by the Registrar (Judicial) of this court. On the verification of the authorisation, the legal heirs of plaintiff no.2 i.e. respondent no.5C in the application is permitted to withdraw the amount on behalf of the legal heirs of plaintiff no.2.

6. Time to deposit the amount is extended till 22.04.2024.

7. The civil application stands disposed of accordingly.

[ARUN R. PEDNEKER, J.]