



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

**968 CIVIL APPLICATION NO. 8593 OF 2025
IN SA/486/2015**

**MADHUKAR VISHWANATH DESHMUKH AND ANOTHER
VERSUS
VENKATRAO CHANDARRAO DESHMUKH LRS CHHABUBAI
AND OTHERS**

**WITH CIVIL APPLICATION NO. 8595 OF 2025
IN SA/485/2015
WITH CIVIL APPLICATION NO. 8594 OF 2025 IN
SA/486/2015**

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Advocate for Applicants in all CA : Mr. N. S. Jagdale h/f Mr.
Salunke V. D.
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**CORAM : SHAILESH P. BRAHME, J.
DATE : 13.08.2025**

PER COURT :-

1. Applicants are seeking correction in the middle name of appellant No.2.
2. It transpires from record that in connected second appeal No.485 of 2015, identical correction was permitted to be carried out. By following due procedure of law, the original record is also corrected. Middle name of appellant No.2 is corrected from “Madhukarrao” to “Mukundrao”.
3. Civil Application No.8594 of 2025 is allowed in terms of prayer clause “B”.

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4. Applicants are seeking permission to withdraw the amount deposited by Vishwaratna Vilasrao Deshmukh Manjra Shetkari Sahakari Sakhar Karkhana Ltd. It is pointed out that in the connected matter i.e. Second Appeal No.485 of 2015, the sugar factory had deposited the amount which was permitted to be withdrawn by the selfsame applicants vide order dated 06.12.2024. On the ground of parity, in the present matter also applicants are entitled to receive the amount with accrued interest.

5. None appears for the respondents.

6. In the present matter also amount of Rs.26,554/- deposited. On the ground of parity, applicants are entitled to receive amount on the selfsame conditions, which were imposed in order dated 06.12.2024.

7. Civil application for withdrawal of amount is allowed in terms of prayer clause "B" on condition that applicants shall file an undertaking before this Court that in case any adverse orders are passed in second appeal or entitlement of the applicants is decided against them, they shall re-deposit/refund the decretal amount along with interest @ 6% p.a. of the

amount within a period of six (6) weeks from the date of final order that would be passed in second appeal.

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8. None appears to contest the application.

9. Applicants are claiming amount of Rs.74,670/- with accrued interest deposited by sugar factory in the present matter. Previously also applicants were permitted to receive the earlier deposits made by sugar factory vide order dated 06.12.2024. On the ground of parity, the applicants are entitled to receive the amount on same conditions.

10. Civil application is allowed in terms of prayer clause "B" on identical condition of furnishing undertaking as prescribed by order dated 06.12.2024 passed in Civil Application No.14440 of 2022.

(SHAILESH P. BRAHME, J.)

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vmk/-