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914-CA-11606-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 CIVIL APPLICATION NO. 11606 OF 2025
IN FA/2047/2025

Champabai Shrimant Gaikwad Died Thr Lrs Sanjivan And Ors

VERSUS

The State Of Maharashtra, Through The Collector, Osmanabad And Ors

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Mr. Laxmikant C. Patil, Advocate for Applicant.

Mr. P. R. Nangare, Advocate for Respondent.

Smt. Chaitali Chaudhari-Kutti, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 17th OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed for withdrawal of the amount deposited in the office of this Court alongwith accrued interest.
3. The learned Advocate for the applicant relied upon the order dated 25th November 2020 passed by this court in Civil Application No. 7559/2020 in FA/2657/2019, wherein this Court had permitted the applicants to withdraw 50% of the deposited amount on furnishing

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undertaking and 25% of the amount on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. The said applicants again filed Civil Application No.6170 of 2024 in First Appeal No. 2657 of 2019 wherein this Court permitted even to withdraw remaining 25% amount.

4. It is submitted that this application arising out of same judgment and order in the first appeal. There is no dispute about the same. This application is filed for the first time. The applicants have not withdrawn any amount prior to this. Considering the orders referred to above, this Court is inclined to allow the application. Hence, the following order:

ORDER

- (i) Civil Application stands allowed.
- (ii) The applicants are permitted to withdraw 50% of the amount deposited in the office of this Court alongwith accrued interest on furnishing usual undertaking.
- (iii) 50% of the amount alongwith accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the

satisfaction of the learned Registrar (Judicial) of this Court.

(iv) With this, civil application stands disposed off.

[KISHORE C. SANT, J.]