



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

79 CIVIL APPLICATION NO. 11068 OF 2025
IN FA/252/2021

VISHNU NARAYAN BIRAJDAR (DIED) THR LRS RUKMINI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Ms. L. R. Thakur h/f. Mr. L. C. Patil, Advocate for Applicants
Mr. S. V. Hange, AGP for Respondents-State

WITH
CIVIL APPLICATION NO. 2575 OF 2019
IN FA/252/2021

THE STATE OF MAHARASHTRA AND ANR
VERSUS

VISHNU NARAYAN BIRAJDAR (DIED) THR LRS RUKMINI AND ORS

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 27.11.2025

PER COURT :-

CIVIL APPLICATION NO. 11068 OF 2025

. Applicants seek withdrawal of amount of Rs.52,12,695/- with accrued interest deposited in this Court.

2. Learned counsel for the applicants tenders on record order dated 13.08.2024 passed by coordinate bench permitting the claimants to receive 75% of the amount on certain conditions. There is no serious dispute regarding the ground of parity.

3. Civil Application is partly allowed permitting the applicants to receive 50% of the amount with accrued interest on furnishing undertaking to the satisfaction of learned Registrar (Judicial) and 25% of the amount with accrued interest on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial).

4. Balance amount shall be invested in a nationalized bank.

FIRST APPEAL

. **Admit.**

2. Ms. L. R. Thakur h/f. Mr. L. C. Patil, learned counsel waives service of notice for respondents/claimants.

3. Call for Record and Proceeding. Print is dispensed with.

4. Time of four (4) weeks is granted to carry out amendment in respect of deceased claimant Rukmini Vishnu Birajdar.

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. As the entire amount is deposited in this Court, stay granted earlier shall stand confirmed.

2. Civil Application is disposed of.

(**SHAILESH P. BRAHME, J.)**