



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10403 OF 2025
IN FIRST APPEAL NO. 1222 OF 2018

Jijabai w/o Narayan Dahifale (Died)
Through Legal representative ;

1. Vanmalabai w/o Venkatrao Lahane
Age : 80 years, Occup : Housewife,
Original R/o : Bhandarwadi,
Tal: Renapur, District Latur,
Presently R/o: Plot No.2, Phule Colony;
Khokadpura, Ch Sambhajinagar,
Dist : Sambhajinagar,
 2. Sudhamati w/o Pandharinath Ghuge,
Age : 65 years, Occup : Housewife,
Original R/o : Bhandarwadi,
Presently R/o : Naik Nagar, Hingoli,
District Hingoli. ... Applicants
(Org. Respondents No.1 & 2/Claimants)
- Versus

1. The State of Maharashtra,
Through the Collector, Latur.
2. The Executive Engineer,
Minor Irrigation Div. Latur,
Through GMIDC, Ch. Sambhajinagar. ... Respondents
(Orig. Respondents)

...
Mr. Rajendra D. Sanap, Advocate for the Applicants
Mr. D. R. Korade, AGP for Respondent No.1
Mr. S. G. Sangle, Advocate for Respondent No.2
...

CORAM : ABHAY S. WAGHWASE, J.

DATED : 23 SEPTEMBER 2025

PER COURT :-

1. Not on board. Upon mentioning, taken on board.
2. Instant application is moved in First Appeal No. 1222 of 2018, raising prayers to allow present applicants to withdraw amount deposited in this Court in the above First Appeal, which is already disposed off by order dated 08.05.2025.
3. Learned counsel pointed out that in trial court proceedings, there were in all nine claimants. Appeal against the order of Reference Court has been decided by this Court by order dated 08.05.2025. In view of First Appeal being disposed off, now prayers are made that present applicants, on behalf of all claimants, be permitted to withdraw the amount deposited in this Court. It is further pointed out that there is General Power of Attorney (GPA) which is also part of record.
4. On perusal of the record, it does emerge that appeal has been disposed off by this Court by order dated 08.05.2025. On 09.05.2025, on a *praecipe* being moved by the learned Advocate for the claimants, a speaking to minutes order has been passed allowing the claimants in the appeal to the withdraw the amount along with interest accrued

thereon. However, at that time, it seems that it was not brought to the notice of this Court that present applicants, on behalf of all other claimants in First Appeal No. 1222 of 2018, are permitted and authorized to withdraw the amount. This fact is brought to the notice today and even it is demonstrated by pointing out the GPA. It is further emerging from the record that present applicants are also two amongst the nine original claimants. There is specific mention in the GPA that the GPA holders are authorized to withdraw the amount deposited in this Court. Taking the above into consideration, prayer clause "B" deserves to be allowed.

5. Consequently, the Application is allowed in terms of prayer clause "B". The Registry to permit the present applicants, on due verification, to withdraw the amount deposited in this Court.

6. The Application is accordingly disposed off.

[ABHAY S. WAGHWASE, J.]