



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11227 OF 2025
IN WP/1288/2015

SUMANBAI MUNJAJI KADAM AND OTHERS
VERSUS
JIJABAI KAILASH KADAM AND OTHERS

Advocate for Applicants : Ms. Geeta L. Deshpande
Advocate for Respondent No. 1 : Mr. V. P. Kadam

CORAM : SACHIN S. DESHMUKH, J.

Date : 13th October, 2025

PER COURT :-

1. Applicants have presented the present civil application seeking modification in order dated 24.07.2025, rendered by this Court, for withdrawal of amount of Rs. 20,000/- deposited in the Trial Court.

2. The writ petition was presented challenging the order dated 10.12.2014 rendered by learned Civil Judge, Junior Division, Mantha in Regular Civil Suit No. 05 of 2012, rejecting the application presented by applicants herein for framing of additional issues.

3. By order dated 16.02.2015, this Court while issuing the

notices, granted stay to the impugned order, on condition of depositing a sum of Rs. 20,000/- before the Trial Court. Accordingly, applicants have deposited the said amount in the Trial Court.

4. Subsequently, the dispute between the parties is now settled, therefore, the writ petition is disposed of as withdrawn on 24.07.2025. As such, the applicants prayed for withdrawal of amount deposited in the Trial Court pursuant to the order of this Court.

5. The learned counsel for respondent No. 1 opposed the application and prayed for rejection of the same.

6. It is a matter of record that the dispute between the parties is settled and as per order dated 16.02.2015 of this Court, applicants have deposited the amount of Rs. 20,000/- in the Trial Court. As such, this Court is inclined to accede to the request of applicants to permit withdrawal of the amount deposited.

7. In view of the above, present Civil Application for withdrawal of amount is **allowed** in terms of Prayer Clause **(B)**. Applicants are permitted to withdraw the entire amount deposited

in the Trial Court i.e. Civil Judge Junior Division, Mantha, alongwith accrued interest thereon, if any.

8. Accordingly, civil application stands **disposed of**.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi