

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15730 OF 2023

Anantram Shahajirao Shinde And Others

VERSUS

Pooja Balaji Shinde

...

Advocate for the Petitioners : Mr. S.S. Panale h/f Mr. Adgaonkar
Ravibhushan P

Advocate for Respondent : Mr. Shinde Manoj Dharmaraj

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 01, 2025

PER COURT :

1. Heard Mr. Panale, learned counsel for the petitioners and Mr Shinde, learned counsel for the respondent.
2. Present petition is directed against the order passed by the learned 2nd Joint Civil Judge, Senior Division, Latur in Regular Darkhast No.09 of 2018 below Exhibit-38 dated 30.08.2023.
3. Learned counsel for the petitioners submits that during pendency of the present petition, the petitioners have already deposited the entire amount before the Executing Court in view of the interim order passed by this Court. Even it is submitted that 75% of the deposited amount was permitted to be withdrawn and same was withdrawn also. He further submits that as the petitioners have already deposited the entire amount, the order passed below Exhibit-38 may kindly be quashed and set aside.

4. Learned counsel for the respondent submits that remaining 25% amount is lying with the Executing Court and the same may kindly be allowed to be withdrawn.

5. In view of the fact that this amount was deposited in 2023 itself, the remaining 25% amount be disbursed to the sole respondent with accrued interest thereon.

6. In view of the above, the petition is allowed.

7. The order passed by the learned 2nd Joint Civil Judge, Senior Division, Latur in Regular Darkhast No.09 of 2018 below Exhibit-38 dated 30.08.2023, is hereby quashed and set aside.

(SIDDHESHWAR S. THOMBRE, J.)