



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 4422 OF 2025
IN FA/1539/2007**

**SHANTABAI DEVIDAS JADHAV AND ORS
VERSUS
GOVIND SHRIRAM MANTRI**

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Advocate for Applicants : Mr. Sudhir K. Chavan
Advocate for Respondent : Mr. A.N. Nagargoje

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CORAM : SHAILESH P. BRAHME, J.

DATE : 29th APRIL 2025

PER COURT :

. Heard both sides.

2. This application is for withdrawal of balance amount with accrued interest.

3. Applicants are the original Claimants who are challenging judgment and award of Rs.3,86,888/-. The awarded amount was deposited by Respondent-Employer in this Court. The Applicants were permitted to withdraw 50% of the amount on furnishing undertaking. Accordingly the Applicants withdrew amount of Rs.1,93,444/-. They are claiming balance amount with accrued interest.

4. Learned Counsel Mr. Nagargoje would point out that

already 50% of the amount was permitted to be withdrawn. Earlier such application was rejected vide order dated 02.03.2020 passed in Civil Application No.2713/2020. Appeal is very old and can be decided finally instead of permitting Applicants to withdraw the amount.

5. Applicant No.1 is aged and Applicant No.2 needs amount. Though they were permitted to withdraw Rs.1,93,444/-, that would not preclude them to withdraw further amount. First Appeal is not likely to be heard finally immediately. The interest of justice would be subserved in permitting the Applicants to withdraw Rs.1,75,000/- on furnishing undertaking.

6. Civil Application is allowed, granting permission to the Applicants to withdraw Rs.1,75,000/- by furnishing undertaking.

**SHAILESH P. BRAHME
JUDGE**