



(1)

5-CA-1685-2026

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

**5 CIVIL APPLICATION NO. 1685 OF 2026
IN FA/2797/2023**

Payal Anateshwar Swami

VERSUS

Govind Dattatrya Chavan

WITH

FIRST APPEAL NO. 2797 OF 2023

WITH

**CIVIL APPLICATION NO. 8941 OF 2023
IN FA/2797/2023**

...

Mr. Suraj Vipinchandra Gundre, Advocate for Applicant.

Mr. S. S. Sarda h/f Mr. Mohit R Deshmukh, Advocate for Respondent No.3.

CORAM : KISHORE C. SANT &

SUSHIL M. GHODESWAR, JJ.

DATE : 12th FEBRUARY 2026.

PC :-

1. Heard the learned Advocate for the parties.
2. The present application is filed by one of the claimants, who was minor at the time of filing of the application. It is the case of the applicant that now she has attained majority. This Court has already permitted other claimants to withdraw the amount of Rs.10,00,000/-

(Rupees Ten Lakhs) each, subject to certain conditions. The applicant, therefore, submits that she may also be permitted to withdraw her share. She would be allowed to be withdrawn the amount as she requires the amount for her education, maintenance etc. This Court by order dated 14.12.2023 has already passed the order.

3. It is also further pointed out that after the order dated 14.12.2023 was passed, the grandmother of this applicant died. Therefore, another application was filed bearing Civil Application No.8941/2023. In the said application, the order is passed allowing the other claimants to withdraw the amount from the share of the grant-mother as well in equal proportion.

4. This Court does not find any reason to not allow the present application. Hence, following order:

ORDER

(i) Civil Application stands allowed.

(ii) The applicant is permitted to withdraw the amount of Rs.10,00,000/- from the amount deposited by the appellant in the office of this Court.

(iii) The present applicant is also entitled to withdraw her share from the amount that was allowed to be withdrawn by deceased Kalubai Pralhad Rambhapure on the same condition as per order dated 14.12.2023. The remaining amount shall be kept invested.

(iv) With these, civil application stands disposed off.

[SUSHIL M. GHODESWAR, J.]

[KISHORE C. SANT, J.]