



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLN. (F) NO. 1213 OF 2026 IN
FIRST APPEAL NO. 832 OF 2023**

Executive Engineer/Deputy Director, Town Planning, Amravati
Municipal Corporation Amravati

-Vs.-

Damodar Sitaramji Jadhao (Dead) thr.LRs.Smt. Indubai Damodar
Jadhao (Dead) thr. LRs. Sunita Sudhakar Badhiye & oths.

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr.J. B. Kasat, Adv. for the appellant.
Mr.S.S.Shingne, Adv.for the respondent No.1.
Ms H.N.Jaipurkar, AGP for the respondents-State.

**CORAM : SMT. M. S. JAWALKAR &
NANDESH S.DESHPANDE, JJ.**

DATE : 13TH MARCH, 2026

Heard the learned counsel for the parties.

2. The present application is filed by the legal heirs of respondent No.1, i.e. respondent Nos.1.1 to 1.6 for grant of permission to withdraw the amount deposited by the appellant.

3. The learned counsel for the appellant submitted that the total amount of Rs.4 Crore is deposited with 11th Joint Civil Judge, Senior Division, Amravati.

4. At present, we deem it appropriate to allow the respondent Nos.1.1 to 1.6 (legal heirs of respondent No.1) to withdraw 50% of the amount so deposited in the Court of 11th Joint Civil Judge, Senior Division, Amravati on furnishing

solvent surety by the respondent Nos.1.1 to 1.6 to the satisfaction of the learned 11th Joint Civil Judge, Senior Division, Amravati or security as the case may be.

5. The 11th Joint Civil Judge, Senior Division, Amravati is hereby directed to release the amount of Rs.2 Crore in favour of respondent Nos.1.1 to 1.6 (legal heirs of respondent No.1) after due verification of bank details.

6. It is made clear that the issue of calculations of total amount payable is kept open. So also, the respondents are at liberty to make application for further withdrawal if amount is deposited by the appellant as per the direction or assurance given before this Court on 10/03/2024.

7. The application is allowed and disposed of in the above terms.

(NANDESH S.DESHPANDE, J)

(SMT.M.S.JAWALKAR, J)