



Order below Exh.01 in Civil M. A. No. 17/2026
Dnyaneshwar Gunda Gatte (Died) Through LRs.
Vs State and Ors.

Learned advocate Shri. M. N. Yerolkar for the petitioner is present. By this application, the petitioners have requested for granting permission to withdraw the amount of Rs.2,30,187/- (Rupees Two Lakh Thirty Thousand One Hundred Eighty Seven Only) deposited by the respondents, on the grounds stated in the application. The respondents have filed their say vide Exh.10, whereby they contended that if an appeal is not preferred then amount may be paid to the petitioners by accepting such affidavit. The petitioner namely Sukumarbai Gatte filed her affidavit vide Exh.12, whereby she affirms that there is no appeal or stay with respect to the present proceeding. More so, the petitioners have filed copy of heirship certificate issued under Civil Miscellaneous Application No. 33/2026 vide Exh.13 and death certificate of original claimant Dnyaneshwar Gunda Gatte vide Exh.14. Those disclose that, original claimant Dnyaneshwar Gunda Gatte expired on 09.06.2016 and the petitioners in the present original petition are his legal heirs. More so, copy of award under L.A.R. No. 469/2002 reveals that, deceased Dnyaneshwar Gunda Gatte was original claimant.

2. Below original petition vide Exh.01, Nazir reported dated 12/06/2026 that, an amount of Rs.2,30,187/- (Rupees Two Lakh Thirty Thousand One Hundred Eighty Seven Only) is lying with the office and the same is fixed deposited. Perused application and the report of Nazir and affidavit of the claimant vide Exh.12. Except the petitioners, no other person claims the alleged amount. From the report submitted by Nazir, it appears that the amount belonging to the petitioners is lying with the office. In such circumstances, it will not be just and proper to withheld the said amount, which the petitioners are entitled to withdraw. Hence, I pass following order:-

ORDER

1. The application is allowed.
2. The amount of Rs.2,30,187/- (Rupees Two Lakh Thirty Thousand One Hundred Eighty Seven Only) be paid to the petitioners after their proper verification and identification.
3. The petitioners shall furnish an undertaking that they shall deposit the entire amount in lump-sum, if directed by any of the Court.
4. The petitioners shall produce their photo Id proofs and address proofs.
5. No order as to costs.

Date :04/08/2026
Place: Nilanga

(R. V. Pande)
Civil Judge, Senior Division, Nilanga,
District Latur.