


MHRG040054242025	<b><u>OTHER MISC. APPLICATION NO. 74/2025</u></b>
	Sunita D. Tambade & Ors. ... Applicants. V/s. SLAO ... Respondent

**ORDER BELOW EXH. 1**

1. This application is filed by the applicants to release the amount of Rs.1,73,529/- (Rupees One Lakh Seventy Three Thousand Five Hundred Twenty Nine Only) deposited by the respondent vide C No. 254 on 18/04/2013. Hence, prayed that, they be permitted to withdraw amount.

2. In brief, according to the applicants, their ancestor was filed L.A.R.No.12/1999 for enhancement of compensation. On 12/01/2000, the said reference was decided. Against said judgment applicants preferred First Appeal No. 1792/2002 before the Hon'ble High Court and said appeal was decided on 31/03/2004. As per the award, the respondent has deposited share of the applicants i.e. Rs.1,73,529/- (Rupees One Lakh Seventy Three Thousand Five Hundred Twenty Nine Only) vide C No. 254 on 27/09/2013. Thereafter, applicants were filed O.M.A. No.74/2025 for releasing the said amount alongwith interest.

3. Say of respondent was called. The learned A.G.P. Shri. R. E. Yerunkar appeared and filed his say at **Exh.8**. He contended that L.A.R. No. 12/1999 was disposed of on 12/01/2002. Accordingly, they have deposited an amount of Rs.1,73,529/- (Rupees One Lakh Seventy Three Thousand Five Hundred Twenty Nine Only) is

deposited in the Court vide 'C' No.254 on 27/09/2013. He further contended that, the amount be given on executing Indemnity Bond, Bank Guarantee and Undertaking, for recovery of amount in case if any dispute arise between the legal heirs.

4. Say of Asstt. Supdt was called. He has filed report and submitted that an amount of Rs.1,73,529/- (Rupees One Lakh Seventy Three Thousand Five Hundred Twenty Nine Only) is deposited in the Court vide 'C' No. 254 on 27/09/2013.

5. On going through the order of the Hon'ble Bombay High Court in Writ Petition No.3024/2025 dated 20/03/2025, it appears that, the Hon'ble Bombay High Court has specifically directed to this Court to forthwith release the amount of Rs.1,73,529/- (Rupees One Lakh Seventy Three Thousand Five Hundred Twenty Nine Only) in the name of the applicants, deposited by the respondent below C No.254, dated 27/09/2013 before this Court.

6. Hence, considering the foregoing facts of the case, I have no hesitation to release the amount in favour of applicant on executing Indemnity Bond to that effect. In the result, I proceed to pass the following order.

### **ORDER**

- 1) Application is allowed.
- 2) Asstt. Supdt. (C & F) is directed to verify whether the amount deposited in the present matter.
- 3) Thereafter, the said amount of Rs.1,73,529/- (Rupees One

Lakh Seventy Three Thousand Five Hundred Twenty Nine Only) deposited in the Court vide Civil 'C' No.254 on 27/09/2013 be paid to applicants along with interest accrued thereon if any on executing Indemnity Bond of same amount, contending that, if any dispute arises in future about the said amount, the applicants shall deposit the said amount as and when directed by the Court.

4) O.M.A. No. 74/2025 is disposed of.

Panvel.  
Dt. 08-04-2026

(Nayomi P. Pawar)  
Civil Judge, Senior Division Panvel.