

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO. 5454 OF 2013

KAZI MUJIRODDIN KAZI MUNIRODDIN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Kazi S.S.
AGP for Respondent State: Mrs. A.V. Gondhalekar
Mrs. Madhaveshwari D. Thube-Mhase, Adv., for respondent nos.
4/1 To 4/5
Mr. V.D. Hon, Advocate, for respondent no.3.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: March 09, 2015

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PER COURT :-

1. Learned Counsel appearing for the respondent has brought to our notice an order passed by the learned Single Judge on 24th January, 2014, directing impleadment of the present petitioner as a respondent in the First Appeal. It is not a matter of dispute that the subject matter of the First Appeal pending before the learned Single Judge and the subject matter of the instant writ petition is one and the same.

2. In the circumstances, it would be open for the petitioner herein to make appropriate request and to oppose the application by the appellant before the learned Single Judge in pending First Appeal to withdraw the amount.

With liberty as aforesaid, the writ petition stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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agp/-