

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

**CIVIL APPLICATION NO. 14716 OF 2015
IN
WRIT PETITION NO. 4818 OF 2015**

Kirloskar Oil Engine Ltd.,
Pune & anr

...Applicants

versus

Kirloskar Kamgar Sanghatana,
Ahmednagar & anr

...Respondents

.....

Mr. Y.R. Marlapalle,, Advocate for petitioner
Mr. S.S. Thombre, Advocate for respondent No. 1
Mr. A.V. Deshmukh, A.G.P. for respondent No. 2

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CORAM : N.W. SAMBRE, J.

DATE : 26th NOVEMBER, 2015

ORAL ORDER :

Heard.

2. This is an application moved by petitioners for direction to respondent No. 2 to recover an amount of Rs.49,81,538/- from respondent No. 1 which is disbursed, or alternatively, to direct respondent No. 1 to furnish bank guarantee.

3. It is not in dispute that the amount is already disbursed to respondent No. 1 by respondent No. 2.

4. In view of above, in my opinion, in case the petition is allowed, the Court will be entitled to pass appropriate order against respondent No. 1 for recovery thereof. As such, with the above observations, civil application stands disposed of.

[N.W. SAMBRE, J.]