

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 4900 OF 2017
IN WP/2098/1999

BALU BAPURAO KHANDAGALE
VERSUS
INDIAN SEAMLESS METAL TUBES LTD AHMEDNAGAR

...
Advocate for Applicants : Mahesh K. Bhosale h/f. Barde Parag Vijay
Advocate for Respondents : Amol A.K. h/f. V N Upadhye
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CORAM : P.R. BORA, J.
DATE : 11-04-2017.

P.C. :

1. Leave to amend. Amendment be carried out forthwith.
By way of amendment the petitioner is seeking to correct the name of respondent no.9 in Writ Petition No. 2098/99.

2. The learned counsel for the applicant submitted that, while mentioning the name of the present applicant the same has been mentioned as Balu Bapurao Khandagale, whereas, it ought to have been mentioned as Balasaheb Bapurao Khandagale.

3. The learned counsel further submits that all other documents for identification of the present applicant are in the name of Balasaheb Bapurao Khandagale, Aadhar Card and the Bank account are also in the name of Balasaheb Bapurao Khandagale. The learned counsel submits that, in view of the order passed in Writ Petition No. 2098/99, the respondent-company has issued the cheque in the name of Balu Bapurao Khandagale and since there is

no account in the name of Balu Bapurao Khandagle, the applicant is unable to deposit the said amount. The learned counsel reiterates that, his only account in the State Bank of India is in the name of Balasaheb Bapurao Khandagale.

4. For the aforesaid reason, the applicant has prayed for permitting to carry out the amendment in his name in the Writ Petition No. 2098/99 and to give further directions to the respondent to issue a cheque in the name of Balasaheb Bapurao Khandagale. The learned counsel appearing for the respondent submitted that, in view of the order passed in Writ Petition No. 2098/99, the cheque was rightly issued in the name as was appearing in the Writ Petition. The learned counsel has, therefore, prayed for passing appropriate orders in the application.

5. Considering the submissions made as above, the application deserves to be allowed. The applicant shall carry out the amendment in the title clause by correcting the name of respondent no.9 in Writ Petition No. 2098 of 1999. A fresh copy of the said application and the order passed therein shall be issued to the applicant. The respondent shall issue the cheque in the corrected name as Balasaheb Bapurao Khandagle. With the order as above, the application stands disposed of.